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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

*Promoting the wise use of land
Helping build great communities*

MEETING DATE August 1, 2005	CONTACT/PHONE Mike Wulkan, project manager 781-5608	APPLICANT Randall Dennis	FILE NO. SUB2004-00271 CO 05-0018
SUBJECT Request by Randall Dennis for a Parcel Map and Development Plan/Coastal Development Permit to create a Planned Development for an existing, approximately 900 square-foot commercial building, and for a proposed, approximately 4,600 square-foot single-family residence, including an approximately 1,200 square-foot garage on a portion of the lower level. The Planned Development includes a proposed subdivision of an existing 7,890 square-foot parcel into two parcels of 3,558 and 1,334 square feet, in addition to a common parcel of 2,998 square feet, for the purpose of sale and/or development. The project also includes a request for an adjustment to the requirements of Section 21.03.010c of the Real Property Division Ordinance by making an exception to the required minimum lot width and depth. The project will result in the disturbance of approximately 3,558 square feet. The proposed project is within the Residential Multi-Family land use category and is located at 250 North Ocean Avenue, approximately 200 feet west of Cayucos Drive in the community of Cayucos. The site is in the Estero Planning Area.			
RECOMMENDED ACTION <ol style="list-style-type: none">1. Adopt the Mitigated Negative Declaration and addendum in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.2. Approve the Development Plan/Coastal Development Permit based on the findings listed in Exhibit A and the conditions listed in Exhibit C.3. Approve Tentative Parcel Map CO 05-0018 based on the findings listed in Exhibit B and the conditions listed in Exhibit D			
ENVIRONMENTAL DETERMINATION An Addendum to the previously approved Mitigated Negative Declaration (ED 04-227, approved with Minor Use Permit DRC2003-00032, Dennis) has been prepared for the project. On April 28, 2005, the Planning Commission adopted the Mitigated Negative Declaration (ED 04-227) in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Per State CEQA Guidelines (Sections 15164(a) and 15162), the Lead Agency may prepare an addendum to an adopted negative declaration where all of the following apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) no new information of substantial importance is available that was not known or could not have been known at the time of the adopted Negative Declaration. Based on staff's determination that all of the above conditions apply, an addendum to the adopted Mitigated Negative Declaration is appropriate.			
LAND USE CATEGORY Residential Multi-Family	COMBINING DESIGNATION Local Coastal Program, Flood Hazard	ASSESSOR PARCEL NUMBER 064,094,032	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Communitywide #1: Building Permits – District Authorization Required RMF#2: Height Limitation <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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<p>LAND USE ORDINANCE STANDARDS: Sections 23.04.028d – Condominiums, 23.04.100 – Setbacks, 23.04.120 – Heights, 23.05.040 et seq., 23.06.040 et seq., 23.07.060 et seq.– Flood Hazard Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i></p>	
<p>EXISTING USES: Retail sales/wine tasting</p>	
<p>SURROUNDING LAND USE CATEGORIES AND USES: <i>North: Residential Multi-Family/single family residential East: Commercial Retail/single family residential</i> <i>South: Recreation/parking lot West: Residential Multi-Family/two-unit residential Planned Development</i></p>	
<p>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cayucos Citizens Advisory Council, Public Works, Environmental Health, County Parks, Cayucos Fire Protection District, Cayucos Sanitary District, Paso Robles Beach Water Association, Cal Trans, Regional Water Quality Control Board, and the California Coastal Commission</p>	
<p>TOPOGRAPHY: Nearly level</p>	<p>VEGETATION: Ornamental landscaping</p>
<p>PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Cayucos Fire Protection District</p>	<p>ACCEPTANCE DATE: May 6, 2005</p>

PROJECT HISTORY

In May 2000, the Planning Commission approved a Development Plan/Coastal Development Permit to allow the conversion of a lumber loading dock into an approximately 900 square-foot wine sales and tasting room on the front portion of this site (D990005D, Dennis/Keys). In April 2005, the Planning Commission approved a Minor Use Permit/Coastal Development Permit to allow: a) demolition of the existing Cass barn on the rear portion of the site, and b) construction of an approximately 4,600 square-foot single-family residence in its place, including an approximately 1,200 square-foot garage on a portion of the lower level (DRC2003-00032, Dennis). Building permits for the demolition and construction have not been issued at this time.

PROJECT DESCRIPTION:

Currently, the site consists of one parcel under single ownership. It is developed with a small, commercial structure on the front portion of the lot. On the rear portion of this parcel, an existing, historic barn is to be replaced with a single-family residence per approved Minor Use Permit DRC2003-00032.

The purpose of this proposed Parcel Map/Development Plan/Coastal Development Plan is to create a Planned Development consisting of two small, individually owned parcels (including the land) and a common area. Proposed Parcel 1 is about 1,334 square feet in area, and corresponds to the existing, approximately 900 square-foot commercial building on the front portion of the site, plus surrounding areas for setbacks and parking. Proposed Parcel 2 is approximately 3,558 square feet in area, and corresponds to the proposed single-family residence on the rear portion of the site, plus surrounding areas for setbacks. Proposed Parcel 3 is an approximately 2,998 square-foot common area that consists of a driveway to North Ocean Avenue, three of the four parking spaces for the commercial use, landscaping, and drainage improvements. The common area is to be subject to a permanent, "no-build" easement. The parking spaces are to be reserved for the exclusive use of the commercial use.

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in order to satisfy its parking requirements (the proposed dwelling will have its own parking spaces within a garage accessible from the alley).

ORDINANCE COMPLIANCE, PARCEL MAP:

Minimum Parcel Size

Section 23.04.028d of the Coastal Zone Land Use Ordinance allows, through Development Plan approval by the review authority, the use of parcel sizes smaller than those normally required, provided that the residential density and the size of the external parcel are in compliance with the Coastal Zone Land Use Ordinance. In this case, the proposed parcel sizes of 3,558, 1,334 and 2,998 square feet may be approved, because the existing dwelling on this site is within the maximum allowable density of 15 dwelling units per acre specified in the Estero Area Plan, and because the approximately 7,890 square-foot parent parcel exceeds the 6,000 square-foot minimum parcel size that would normally be required by Section 23.04.028 (based on local road access, 0-15 percent slopes, and community sewer service).

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

Sections 18.07 et seq. of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels, as conditioned, are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance, except that an adjustment to the lot width and depth requirements is appropriate for the proposed small parcels as described below.

Adjustment

The applicant has requested an adjustment to the requirements of Section 21.03.010(c)(3) of the Real Property Division Ordinance by making an exception to the requirements for a minimum lot width of 60 feet and a minimum lot depth of 80 feet (see attached letter from Randall Dennis dated June 11, 2005). In this case, the proposed lot widths of Parcels 1 and 2 are about 23 feet and 52 feet, respectively, and the proposed depths of the parcels are about 66 feet each. An adjustment to the required lot widths and depths is appropriate in this case, because the existing parent parcel is already less than 60 feet wide, proposed Parcel 1 corresponds to an existing commercial building and use that do not require greater width and depth, proposed Parcel 2 corresponds to an approved residential use on the rear portion of the site, and the proposed project is a Planned Development that contains a common parcel that will remain undeveloped in perpetuity.

ORDINANCE AND GENERAL PLAN COMPLIANCE: DEVELOPMENT PLAN:

This project includes demolition of the Cass barn and construction of a proposed single-family residence, as approved by Minor Use Permit DRC2003-00032 (Dennis). Because a part of this project is not yet built, and in order to assure that development will comply with all applicable ordinance standards, planning area standards, and coastal plan policies, the conditions of approval for Minor Use Permit DRC2003-00032 are incorporated into the conditions of approval for this project, and will need to be met prior to recordation of the proposed Parcel Map.

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The existing commercial building on the front portion of the site is non-conforming with regard to front and side setbacks in this Residential Multi-Family land use category, but that building was approved for a commercial use by a prior Development Plan, and will remain as is (i.e., no alternations to that building are proposed with this application).

Ordinance Compliance: Proposed Residential Development

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Minimum Site Area	1,750 square feet	3,558 square feet (approx.)
Density	15 dwelling units per acre	1 unit (5.5 units per acre)
Intensity	3 dwelling units	1 dwelling unit
Setbacks		
Front	Min. 25 feet ¹	4 feet ¹
Side	Min. 5 feet	5 feet
Rear	Min. 10 feet	10 feet
Height	28 feet	28 feet
Parking	2 spaces	3 spaces

1. Per Coastal Zone Land Use Ordinance Section 23.04.108a(4), front setbacks for residential uses in a Planned Development or cluster divisions may be determined through Development Plan approval, provided the minimum Uniform Building Code (UBC) requirements are met. In this case, a minimum four-foot front setback for the lower floor of the proposed residence is provided. This setback meets UBC requirements and allows for adequate room for a walkway and maintenance area in front of the proposed residence as shown in approved Minor Use Permit DRC2003-00032 (Dennis). In addition, the adjacent parcel is to be a common area parcel (Parcel 3) that is required by the proposed conditions of approval to have a permanent, "no-build" easement, so that no development will occur adjacent to the proposed residence.

The second floor of the proposed residence includes a deck that projects a few feet into the proposed common area parcel; however that projection meets UBC requirements, because the common parcel is conditioned to have a permanent, "no-build" easement.

The proposed development does not need to comply with the maximum floor area and minimum open area standards of Section 23.04.084, because it is a single family dwelling, not a multi-family project.

Landscaping: Not required or proposed

Fencing and Screening: Not required for residential use; 6-foot high fence proposed along west property line adjacent to proposed residence

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COMBINING DESIGNATIONS

Section 23.01.043 - Appeals to the Coastal Commission (Coastal Appealable Zone)

The proposed project is appealable to the Coastal Commission because the proposed project constitutes proposed development within 300 feet from the beach.

Section 23.07.060 – Flood Hazard Area (FH)

The proposed project is consistent with applicable flood hazard standards, because as conditioned, the proposed single-family dwelling will be subject to drainage plan approval by the County Engineer, will be sufficiently elevated above the 100-year storm flood profile, and will otherwise comply with the flood hazard standards in Section 23.07.060 et seq. and the drainage standards in Section 23.05.050 and Section 23.05.044 et. seq.

Section 23.07.104 – Archaeologically Sensitive Area

The proposed project is consistent with applicable standards for archaeologically sensitive areas, because a condition of approval requires the applicant to retain a qualified archaeologist/historic resource specialist to monitor all earth disturbing activities, per an approved monitoring plan. In addition, if any significant archaeological or historic resources or human remains are found during monitoring, work shall cease and the applicable Coastal Zone Land Use Ordinance standards shall be followed.

PLANNING AREA STANDARDS: The following sections discuss the planning area standards that apply to this project.

Cayucos Residential Multi-Family Standard #2: Height Limitation

The proposed dwelling is 28 feet high, consistent with the height limitation in RMF standard #2. The grade of the site is elevated up to about three feet above the natural grade in order to meet flood hazard standards. In such cases, the 28-foot building height is measured from the resulting finished grade, in accordance with Section 23.04.122 of the Coastal Zone Land Use Ordinance. As a result, the proposed dwelling will be approximately 31 feet high if measured from the existing, natural grade.

COASTAL PLAN POLICIES: The most relevant policies are discussed below.

Shoreline Access: ☒ Policy No. 2: New Development The proposed project is consistent with this policy that new development provide maximum public access from the nearest public roadway to and along the shoreline, with exceptions, because adequate vertical access to the coast already exists within 1/4 mile of the site, and because the project will not interfere with public access to the coast.

Recreation and Visitor Serving: ☒ N/A

Energy and Industrial Development: ☒ N/A

Commercial Fishing, Recreational Boating and Port Facilities: ☒ N/A

Environmentally Sensitive Habitats: ☒ N/A

Agriculture: ☒ N/A

Public Works: ☒ N/A

Coastal Watersheds: ☒

Visual and Scenic Resources: ☒ N/A

Hazards: ☒ Policy Nos. 1 and 3: New Development and Development Review in Hazard Areas. The proposed project is consistent with these policies to minimize risks to human life and property, and to require detailed review of development proposals within the Flood Hazard combining designation, as described under the preceding section, "Combining Designations."

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Archaeology: ☒ Policy No. 1: Protection of Archaeological Resources. The proposed project is consistent with this policy to avoid, and if not feasible, to provide mitigation for development on important archaeological sites, because a condition of approval requires the applicant to retain a qualified archaeologist/historic resource specialist to monitor all earth disturbing activities, per an approved monitoring plan.

Air Quality: ☒ N/A

STAFF COMMENTS:

This proposed Planned Development is unusual, because it consists of a mixed-use project--an existing commercial use and a proposed residential use--whereas most proposed Planned Developments involve residential projects. According to Civil Code 1351, the definition of a Planned Development includes the beneficial use and enjoyment of a common area by owners of the separately owned parcels. In this case, owners of both the commercial and residential parcels will have beneficial use and enjoyment of the common area, because the common area will be used: 1) for access and required parking for the commercial use; 2) for required emergency access to Parcel 2; 3) for direct pedestrian access to the coast for Parcels 1 and 2; and 4) for drainage improvements, landscaping, and access to trash pick-up, all for both parcels.

COMMUNITY ADVISORY GROUP COMMENTS:

The Land Use Committee of the Cayucos Citizens Advisory Council submitted a memo (attached) dated April 26, 2005 that lists questions and concerns about the proposed project. In the memo, the Land Use Committee questions whether setbacks for both structures would be met, whether parcels would become non-conforming with respect to setbacks and parking, and whether the resulting parcels would be better or not. The Committee also wants to make sure that the upper-story deck on the proposed single-family residence will not interfere with parking spaces below. Regarding non-conforming development, the proposed Planned Development will not create non-conformities; however, the existing commercial building is currently non-conforming with respect to front and side setbacks in this Residential Multi-Family land use category. The front setback of the proposed residence will not become non-conforming, but a smaller front setback than is normally required is to be allowed through approval of this project, as described in the preceding section titled "*Ordinance Compliance: Proposed Residential Development.*" With regard to the upper-story deck overhang on the proposed residence, it will not interfere with parking below, because it will not be directly over a parking space, and there will be a 9-foot ground clearance. Finally, the proposed parcels are smaller than those that would otherwise be required for residential and commercial uses, but the findings can be made for a Planned Development having a common open area, together with an adjustment to allow reduced lot widths and depths.

AGENCY REVIEW:

Public Works - Recommend conditions; Parcel "A" needs to be numbered; FEMA flood insurance designation is A-9 and B; finished floor of all new structures shall be at an elevation of 11 feet, and will require a certificate at foundation inspection; 23-foot wide lot doesn't allow much building, but is O.K

County Parks – Quimby fees required

Environmental Health – "Will-serve" letter received from Cayucos Sanitary District, all sewer improvements to be built to the property line or bonded prior to recordation; letter received from Morro Rock Mutual Water Company to provide water service (subject to conditions); parcel map approved for Health Agency subdivision map processing

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Cayucos Fire Protection District – Request a restriction on the common area parcel to provide emergency access to Parcel 2
Morro Rock Mutual Water Company – Water service will be provided subject to conditions

LEGAL LOT STATUS:

The existing parcel is a legal lot per Certificate of Compliance O.R. 02-059560.

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FINDINGS - EXHIBIT A, DEVELOPMENT PLAN

Environmental Determination

- A. An Addendum to the previously approved Mitigated Negative Declaration (ED 04-227, approved with Minor Use Permit DRC2003-00032, Dennis) has been prepared for the project. On April 28, 2005, the Planning Commission adopted the Mitigated Negative Declaration (ED 04-227) in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Per State CEQA Guidelines (Sections 15164(a) and 15162), the Lead Agency may prepare an addendum to an adopted negative declaration where all of the following apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) no new information of substantial importance is available that was not known or could not have been known at the time of the adopted Negative Declaration. Based on staff's determination that all of the above conditions apply, an addendum to the adopted Mitigated Negative Declaration is appropriate.

Development Plan

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because as conditioned, the existing, previously approved commercial use and the proposed single-family dwelling are allowable uses in the Residential Multi-Family land use category, and because, as conditioned, the project is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code, including Sections 23.04.028d – Condominiums, 23.04.100 – Setbacks, 23.04.120 – Heights, 23.05.040 et seq. and 23.05.050 – Drainage, and 23.07.060 et seq.– Flood Hazard Area.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the existing commercial use and the proposed single-family dwelling do not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address potential flood hazards and other health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the small commercial building and use is already in existence and will be unaffected by this proposed project (except for a condition to correct a violation), and because the proposed single-family dwelling is similar to, and will not conflict with, surrounding primarily residential use

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- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project, because the small commercial building is already in existence and will not be expanded or used more intensively, and because the proposed single-family residence will take access from Cayucos Drive via the alley in between North Ocean Avenue and Ash Avenues. The alley is to be improved to meet the standards of the Cayucos Fire Protection District, and Cayucos Drive is currently operating at an acceptable level of service and is expected to operate at an acceptable level at buildout of the community. Therefore, the access roads will be able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because adequate vertical access to the coast already exists within 1/4 mile of the site, because the project will not inhibit access to the coastal waters and recreation areas, and because the project includes a common area that will provide more direct coastal access for proposed Parcel 2 on the rear portion of the site.

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FINDINGS - EXHIBIT B, PARCEL MAP

Tentative Map

- A. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a manner consistent with the Residential Multi-Family land use category.
- B. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the parcel size requirements of the Coastal Zone Land Use Ordinance, and with the adjustment, meet the design standards of the Real Property Division Ordinance.
- C. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because any required improvements will be completed consistent with county ordinance and conditions of approval, and the design of the parcels meets applicable policies of the general plan and ordinances.
- D. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for the existing commercial building on the front portion of the site and for development of a single-family dwelling on the rear portion of the site.
- E. The site is physically suitable for the proposed density of the development proposed because the site can adequately support the existing, small commercial building and one dwelling unit.
- F. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no fish or wildlife habitat exists on the site.
- G. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- H. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Adjustment for Reduced Lot Widths and Depths

- I. That there are special circumstances or conditions affecting the subdivision, because this property is different from other properties where this standard would apply, for the following reasons: 1) the lot width of the existing parent parcel is already less than the minimum width of 60 feet, so that it is not feasible to meet the minimum lot width; 2) the lot width and depth of Parcel 1 correspond to and are appropriate for an existing commercial building that is not planned for expansion; 3) the lot width and depth of Parcel 2 correspond to and are appropriate for a previously-approved single-family dwelling that will have a common open area in front of and adjacent to the parcel; and 4) the existing and proposed development constitute a Planned Development (subject to Development Plan approval) having a common open area for the beneficial use of the separately owned parcels, and parcel sizes that are smaller than those that would otherwise be required, necessitating reduced lot widths and depths on this site.

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- J. That the granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision, because the existing commercial building will remain as is, the previously-approved single family dwelling will meet side and rear and Uniform Building Code setbacks, and adequate access and flood protection will be assured.
- K. That the granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision, because there will be no change in the intensity of existing and previously-approved development, the existing commercial building will remain as is, the previously-approved single family dwelling will meet side and rear and Uniform Building Code setbacks, adequate open area will be provided, and adequate access and parking will be assured.

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EXHIBIT C

CONDITIONS OF APPROVAL FOR DEVELOPMENT PLAN

Approved Development

1. This Development Plan/Coastal Development Permit authorizes:
 - A. The demolition of the existing Cass barn and construction of an approximately 4,600 square-foot single-family residence, including an approximately 1,200 square-foot garage, on a portion of the lower level.
 - B. A maximum height of 28 feet from the finished grade that is needed to elevate the structure to comply with flood hazard standards.
 - C. All development shall be consistent with the approved plans, including the approved floor plan and architectural elevations, except that the proposed single-family residence shall have minimum five-foot side setbacks.
 - D. No new development shall occur, in perpetuity, on the common parcel.

The following conditions are required to be completed prior to recordation of the final map, and as specified for each condition

Site Development

2. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.
3. **At the time of application for construction permits**, the applicant shall submit for review and approval by the County Engineer a drainage plan in accordance with the requirements of Coastal Zone Land Use Ordinance Sections 23.05.044 and 23.07.064. The drainage plan, together with any needed supplemental documentation, shall demonstrate how the project complies with the drainage standards of Section 23.05.050 and the flood hazard standards of Section 23.07.060 et seq.
4. **At the time of application for construction permits**, the applicant shall apply to the County Public Works Department for an encroachment permit for construction of a driveway approach and any other construction within the alley between North Ocean and Ash Avenues.

Cultural Resources Mitigation Measure

5. **At the time of application for construction permits**, the applicant shall submit architectural elevations of the proposed structure to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials and colors. The new structure shall be either white or "barn red." If used, composite shingles shall mimic the color and texture of the original redwood shingle roofing. Wherever possible, the exterior of the new structure shall use hardware and siding recovered from the original Cass barn, and where the original hardware is not serviceable, new materials may be used that maintain the nature of the original.

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Fire Safety

6. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to improvement of the alley to meet the requirements of the Cayucos Fire Protection District, installation of fire sprinklers meeting N.F.P.A. 13D standards, and all requirements outlined in a Fire Safety Plan to be prepared by the Cayucos Fire Protection District for this proposed project.

Services

7. **At the time of application for construction permits**, the applicant shall provide valid letters from the Cayucos Sanitary District and the Moro Rock Mutual Water Company stating they are willing and able to service the project.

Prior to issuance of a construction permit (demolition or construction):

Cultural Resources Mitigation Measures

8. **Prior to issuance of a construction permit for demolition of the Cass barn**, the applicant shall submit to the Environmental Coordinator a letter from a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) that details the results of the following required investigation and field work that is to be performed by that person, including, but not limited to: a) a report on the historical background of the structure, b) measurements, detailed photographs, and structural samples of the barn, c) archaeological mapping of the structural details and related artifacts.
9. **Prior to issuance of construction permit**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist/historic resource specialist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
- A. List of personnel involved in the monitoring activities;
 - B. Description of how the monitoring shall occur;
 - C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - D. Description of what resources are expected to be encountered;
 - E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - F. Description of procedures for halting work on the site and notification procedures;
 - G. Description of monitoring reporting procedures.

Site Development

10. **Prior to issuance of a construction permit**, drainage plan approval by the County Engineer is required (see preceding condition 4).

Fees

11. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

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During project construction:

Building Height

12. The maximum height of the project is 28 feet from the finished grade that is needed to elevate the structure to comply with flood hazard standards, administered as follows:
 - A. **Prior to any construction**, a licensed surveyor or registered civil engineer shall first file with the Building Official certification of compliance with the flood hazard elevation requirements, and shall then stake the lot corners, building corners, and establish average finished grade and set a reference point (benchmark).
 - B. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - C. **Prior to approval of the roof-nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Finished Floor Elevation

13. The finished floor shall be at or above elevation 11 feet. Prior to approval of the foundation inspection, compliance with the elevation requirements shall be certified by a registered civil engineer or licensed land surveyor and filed with the Building Official.

Cultural Resources Mitigation Measure

14. **During all ground disturbing construction activities**, the applicant shall retain a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological or historic resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Prior to occupancy or final building inspection/establishment of the use

15. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from the Cayucos Fire Protection District of all required fire/life safety measures.
16. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
17. **Prior to final building inspection** the use of the approximately 900 square-foot building on the front portion of the site shall be brought in compliance with approved Development Plan/Coastal Development Permit D990005D (Dennis, Keys) that authorized wine sales and tasting. A general merchandise store, as a primary use, is not allowable.

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Cultural Resources Mitigation Measure

18. **Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first),** the consulting archaeologist/historic resource specialist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Miscellaneous Conditions

19. This land use permit is valid for a period of 24 months from the effective date unless time extensions are granted pursuant to Coastal Zone Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Coastal Zone Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
20. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.

5-16

EXHIBIT D

CONDITIONS OF APPROVAL FOR PARCEL MAP CO 05-0018

Approved Project

1. This approval authorizes a Planned Development that subdivides an existing 7,890 square-foot parcel into two parcels of approximately 3,558 and 1,334 square feet, in addition to a common parcel of approximately 2,998 square feet, for the purpose of sale and/or development. No new development shall occur, in perpetuity, on the common parcel.

Conditions required to be completed prior to filing of the final map

Final Map

2. Parcel "A," the common parcel, shall be relabeled as Parcel 3 on the final map.

Parks and Recreation (Quimby) Fees

3. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

4. The applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Landscape Plans

5. The applicant shall submit a landscaping plan to the Department of Planning and Building for review and approval prior to filing of the final parcel map. Said plans are to include location, species, size, and method of maintenance of two street trees to be located behind the sidewalk so as not to interfere with sight distances. The trees shall on the applicable list maintained by the Department of Planning and Building, and shall be of a native and/or drought tolerant variety. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation.
6. All approved landscaping shall be installed prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis.

5-17

Conditions required to be completed prior to recordation of the final map

Access and Improvements

7. A private easement be reserved on the map for access to Parcels 1 and 2.

Improvement Plans

8. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

Drainage

9. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program. Provide the WDID number to the County.

Utilities

10. Electric and telephone lines shall be installed underground.
11. Cable T.V. conduits shall be installed in the street.
12. Gas lines shall be installed.

Fire Protection

13. The applicant shall obtain a fire safety clearance letter from the Cayucos Fire Protection District establishing fire safety requirements prior to recordation of the final map.

Correction of Land Use Violation

14. The use of the approximately 900 square-foot building on the front portion of the site shall be brought in compliance with approved Development Plan/Coastal Development Permit D990005D (Dennis, Keys) that authorized wine sales and tasting. A general merchandise store, as a primary use, is not allowable.

Easements

15. An permanent "no-build" easement be recorded for the common parcel. It is to be held in common by the Homeowner's Association. The common parcel is to be maintained as such in perpetuity.

Services

16. The applicant shall provide a final letter from the Morro Rock Mutual Water Company and the Cayucos Sanitary District stating that water and sewer service are available for the project and their required conditions have been met, including verification from the Cayucos Sanitary District that the required sewer improvements are built to the property line or bonded for prior to recordation of the final map.

5-18

Additional Map Sheet

17. The applicant shall prepare an additional map sheet to be approved by the County Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
 - a. The limits of inundation from a 100-year storm over lots 1 and 2 from Cayucos Creek shall be shown on the additional map and note the required building restriction on the sheet.

Covenants, Conditions and Restrictions

18. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
 - a. Maintenance of common areas, including driveway, landscaping, drainage improvements, and parking spaces.
 - b. The limits of inundation from a 100-year storm over lots 1 and 2 from Cayucos Creek shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
 - c. The parking spaces in the common parcel shall be for the exclusive use of lot 1.

Miscellaneous

19. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
20. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

5-19

STANDARD CONDITIONS OF APPROVAL FOR
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

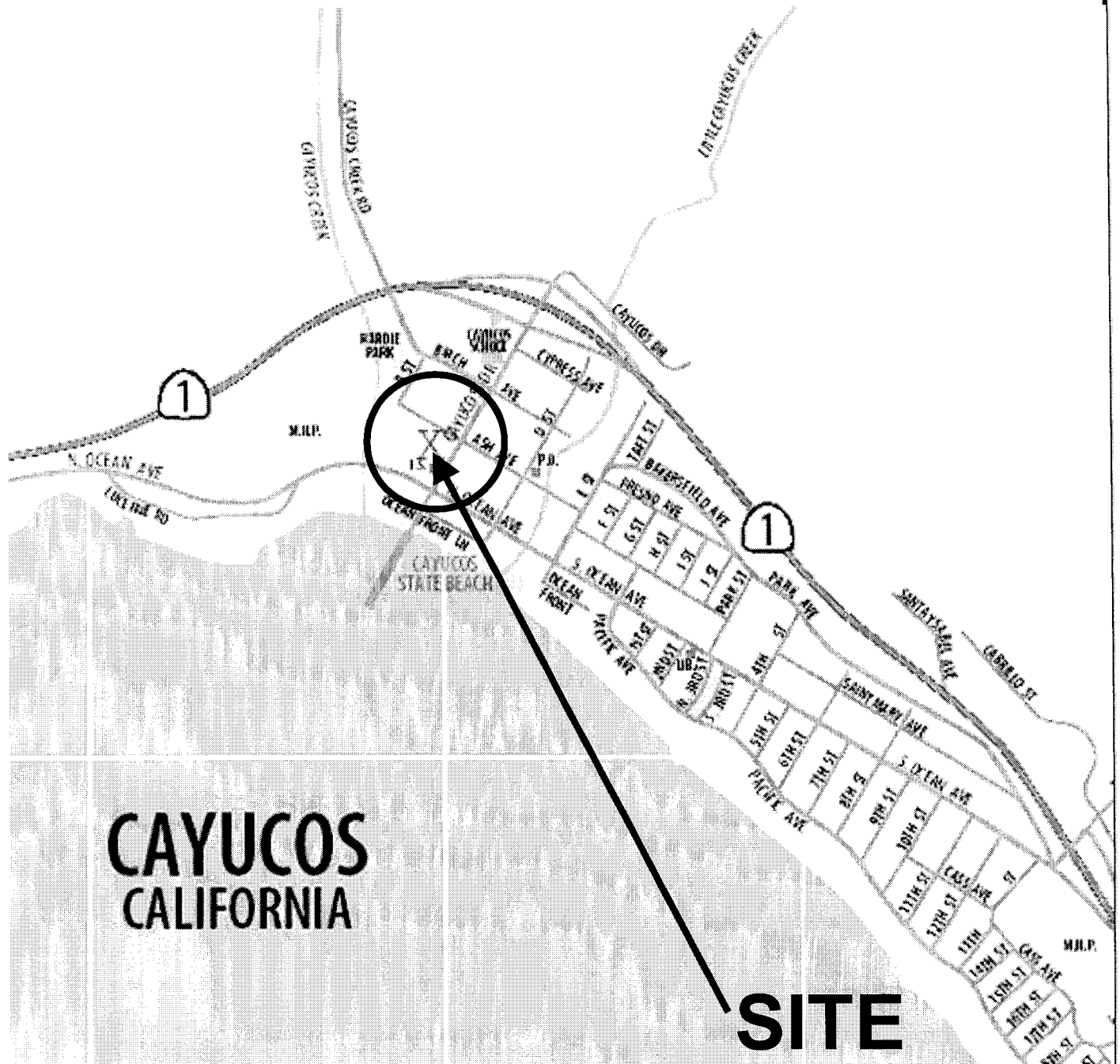
1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.

5-20

12. Prior to submission of the map “checkprints” to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

571

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Parcel Map / Development Plan
Dennis SUB2004-00271

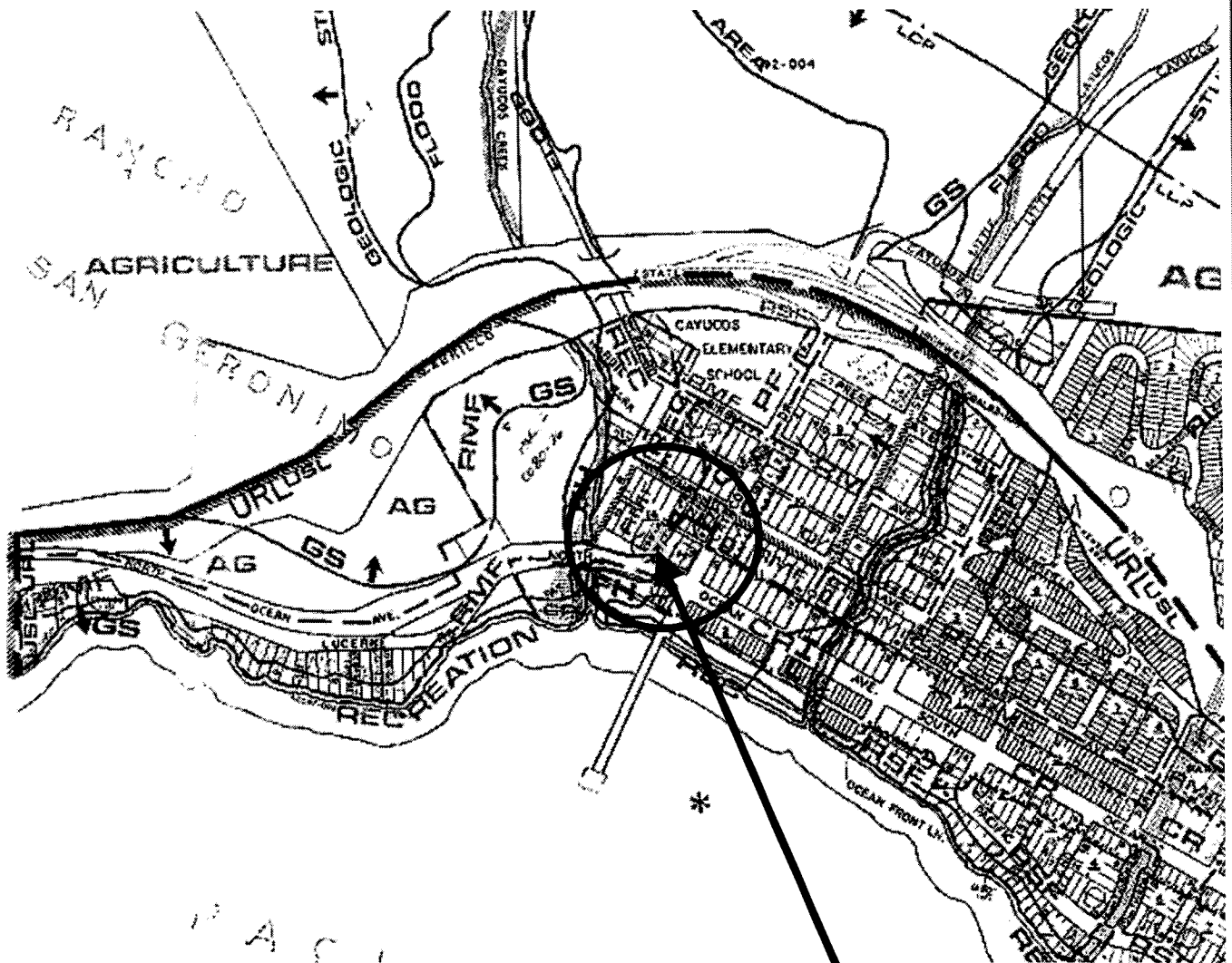


EXHIBIT

Vicinity Map

5-27

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



SITE

PROJECT

Parcel Map / Development Plan
Dennis SUB2004-00271

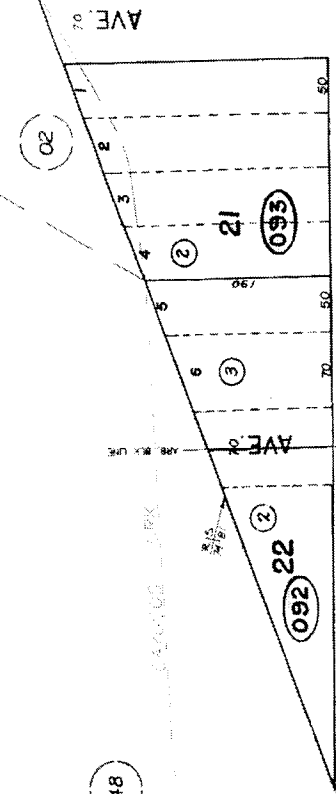


EXHIBIT

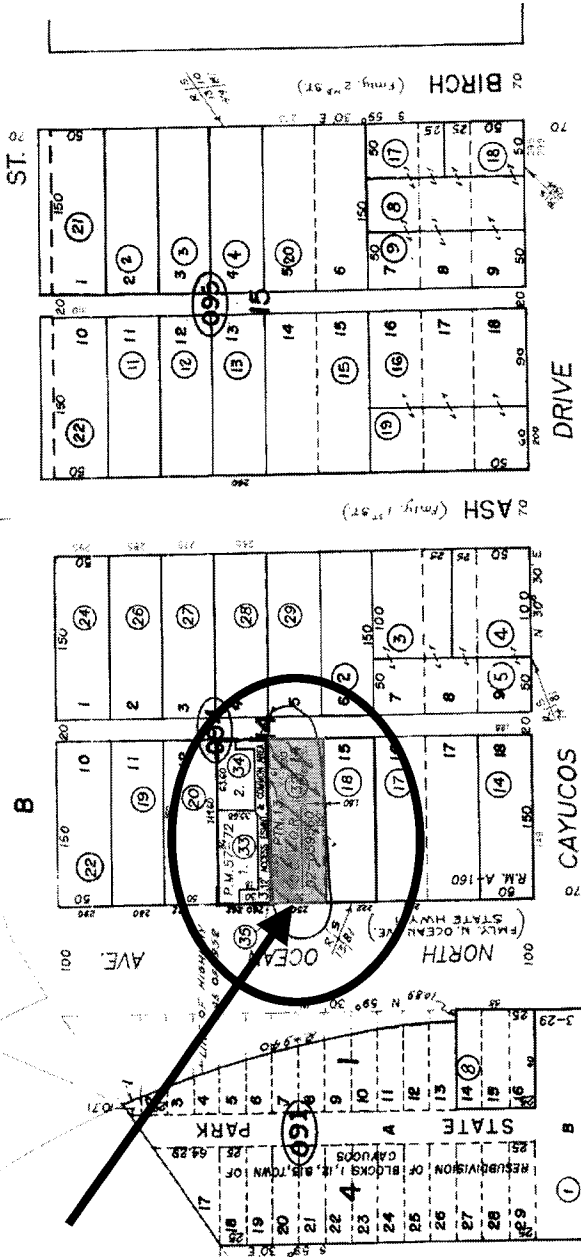
Vicinity Map

5-23

064-09



SITE



REVISIONS	J.S.	DATE
1	WA	04-23-04

THIS MAP IS PREPARED FOR
11-16-99 ASSESSMENT PURPOSES ONLY.

CAYUCOS
ASSESSOR'S MAP COUNTY OF
SAN LUIS OBISPO, CALIF.
BOOK 061 PAGE 08

RESUB. BL. 1-12-13: TOWN OF CAYUCOS, R.M. Bk. 3, Pg. 29
TOWN OF CAYUCOS, R.M. Bk. A, Pg. 160

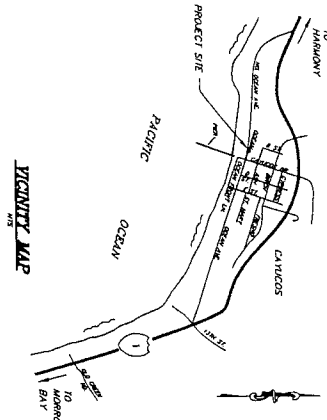
PROJECT

Parcel Map / Development Plan
Dennis SUB2004-00271

EXHIBIT

Assessor Parcel Map





EXISTING AND PARKING SIGN

NOTE: THE EXISTING TOPOGRAPHY, SHOWN HEREON, WAS COMPILED FROM FIELD SURVEYS AND INFORMATION FROM THE OWNER AND NO CLAIM IS MADE AS TO ITS ACCURACY.

TOGETHER WITH THE NORTHERLY 61.00 FEET OF THE EASTERNLY 2.30 FEET OF LOT 11 OF SAID BLOCK 14.

LEGAL DESCRIPTION:

TRIAD/MOLMES ASSOCIATES
555 CHORRO STREET, SUITE A
SAN LUIS OBISPO, CA 93405
c/o CRIST E. FRY R.C.E. 57970

DESIGN NOTES:

RECORD OWNER:
RANDALL DENNIS
340 KINGS AVENUE
MORRO BAY, CA 93442
(805) 471-5080

NYC

22

STARS

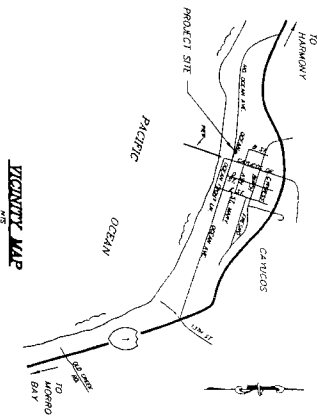
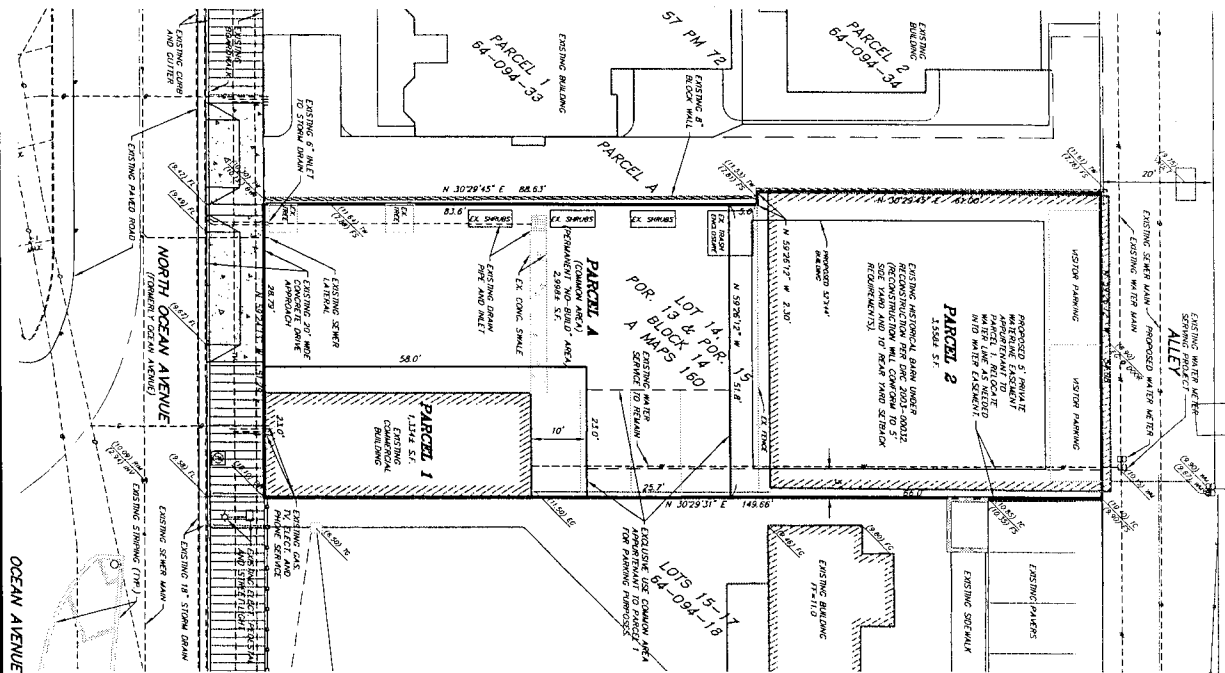
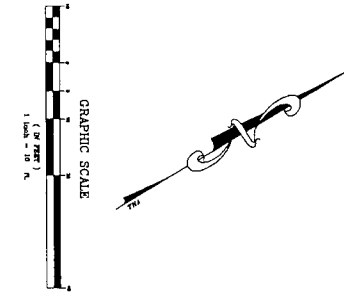
DESCRIPTION

NORTHERLY 61.0
SAND BLOCK 74.

PARKING SIGN

 Dea Architects Assoc. 10000 Wilshire Blvd., Suite 1000 Los Angeles, CA 90024 Tel: 310/206-1100 Fax: 310/206-1101 E-mail: info@tho.com Web: www.tho.com	
Project: 2007/05 Date: 1-1-10 Client: CAR/CF Address: 1100155.1 Name: 1.15.17BN1 Page: 2 of 7	

A PLANNED UNIT DEVELOPMENT
TENTATIVE PARCEL MAP CO 05-0018
PREPARED FOR RANDALL DENNIS



RECORD ON:

340 KINGS AVENUE
MORRO BAY, CA 93442
(805) 471-5080

CIVIL ENGINEER

INITIAL/HOURLY'S ASSOCIATES
555 CHORRO STREET, SUITE A
SAN LUIS OBISPO, CA 93405
c/o CRISTY E. FRY R.C.E. 57970

DESIGN NOTES:

ASSASSIN'S PHONE NUMBER, 484-084-0112
 ADDRESS, 1000 N. 10TH ST., APT. 100, ST. LOUIS, MO. 63103
 W/HER SISTER, LORRAINE ROSE CAMPBELL, RESIDENTIAL
 484-084-0112, 1000 N. 10TH ST., APT. 100, ST. LOUIS, MO. 63103
 C/O DR. ROBERT CAMPBELL, 1000 N. 10TH ST., APT. 100, ST. LOUIS, MO. 63103
 TELEPHONE, 536-7800
 FBI PHOTO, CHICAGO, FOR IDENTIFICATION
 F.I.C.A. RECORD INSURANCE REGISTRATION, JUNE 8, 1965
 AGEN'S BLOOD SAMPLES, 100-YEAR FLOOD AND 500-YEAR FLOOD
 ON CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING, WHICH
 WOULD BE AFFECTED BY 500-YEAR FLOODING, AND ARE
 DRAINAGE AREA IS LESS THAN ONE SQUARE MILE, OF AREAS
 PROTECTED BY DAMS FROM THE MISSISSIPPI RIVER
 COLUMBIAN PLAIN, NUMBER DRAINAGE DISTRICT 000





LEGAL DESCRIPTION:

LOT 14 AND NORTHWESTERLY 1.80 FEET OF LOT 15 ALL IN BLOCK 14 OF THE TOWN OF CAVALCO, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED SEPTEMBER 28, 1973 IN BOOK A, PAGE 160 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

NOTE:

THE EXISTING TOPOGRAPHY, SHOWN HEREON, WAS COMPILED FROM FIELD SURVEYS AND INFORMATION FROM THE OWNER AND NO CLAIM IS MADE AS TO ITS ACCURACY.

LEGEND:

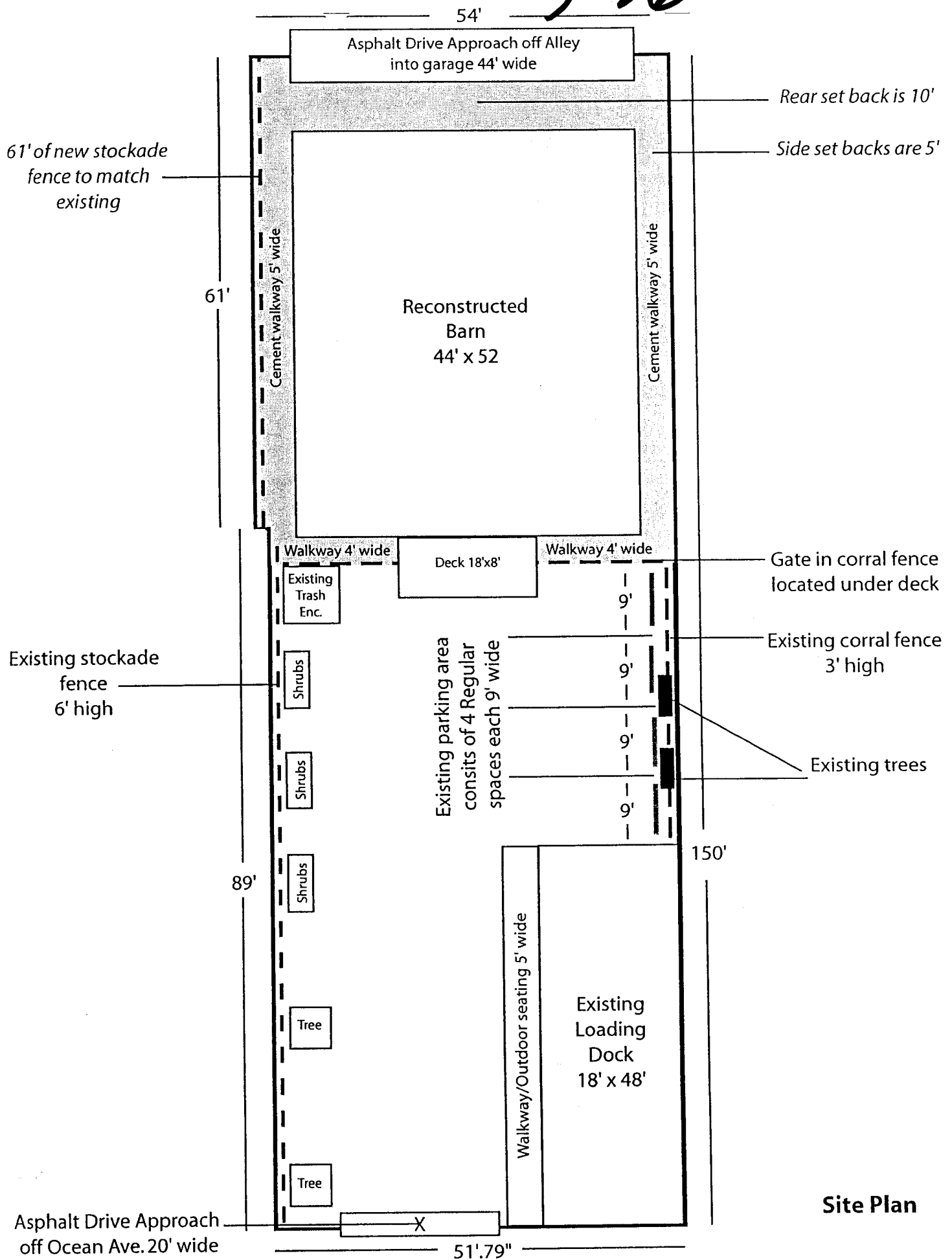
- | | |
|---|--------------------------|
|  | EXISTING WATER METER |
|  | EXISTING SEWER MANHOLE |
|  | EXISTING STREET LIGHT |
|  | EXISTING NO PARKING SIGN |

[illegible]

A PLANNED UNIT DEVELOPMENT
TENTATIVE PARCEL MAP CO 05-0018

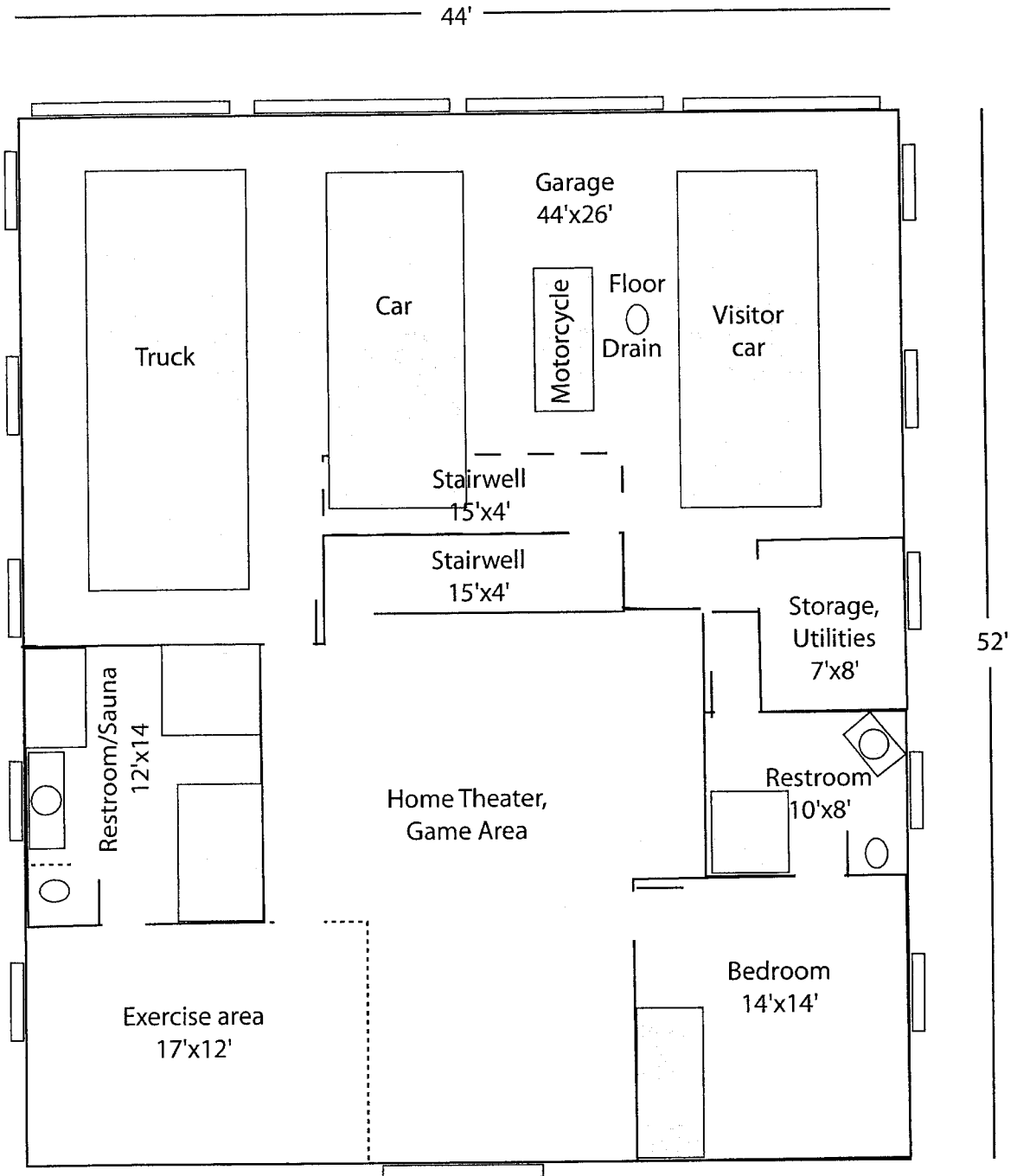
PREPARED FOR RANDALL DENNIS

5-76



Site Plan

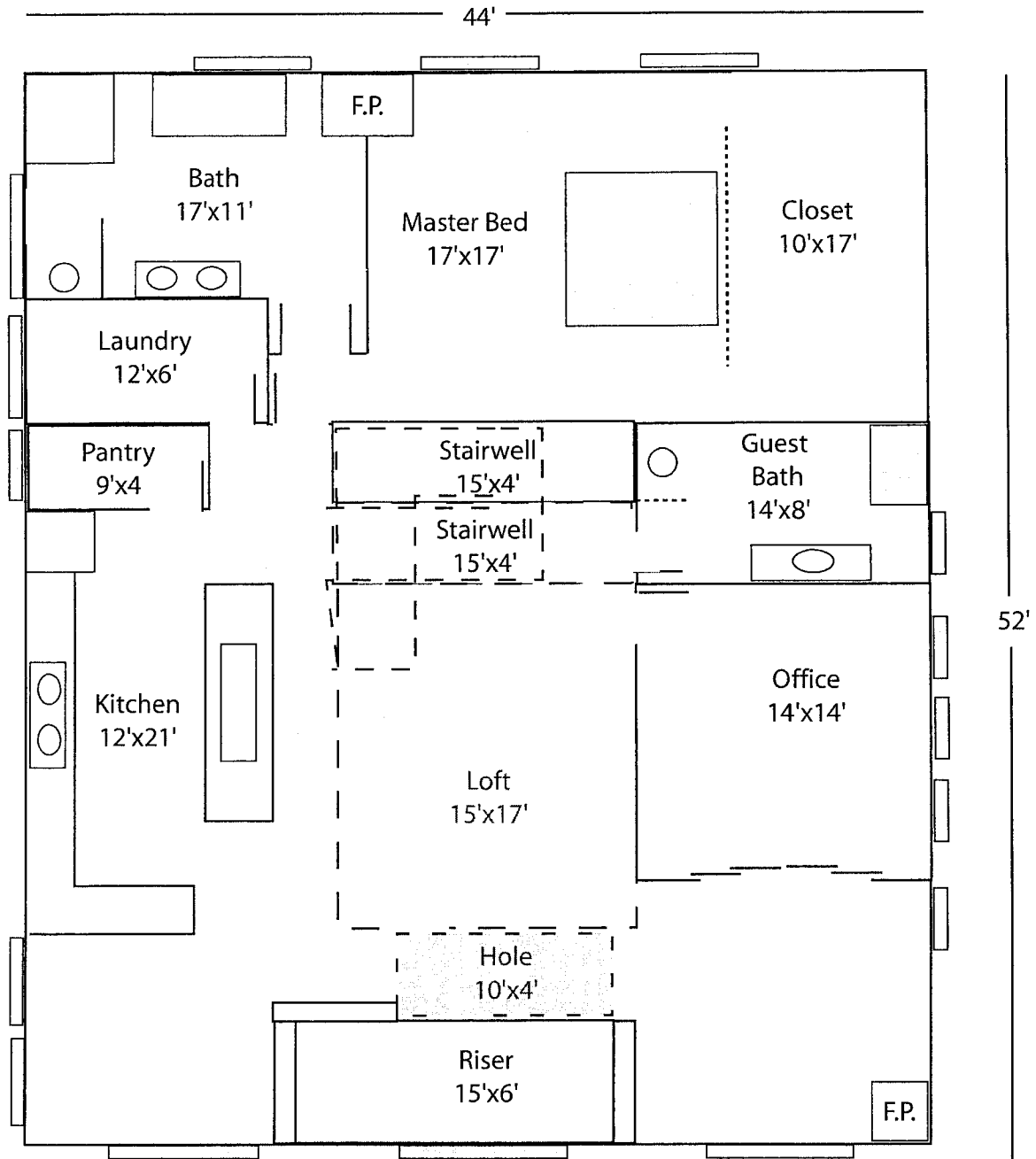
5-27



Ground Floor

4-19-05

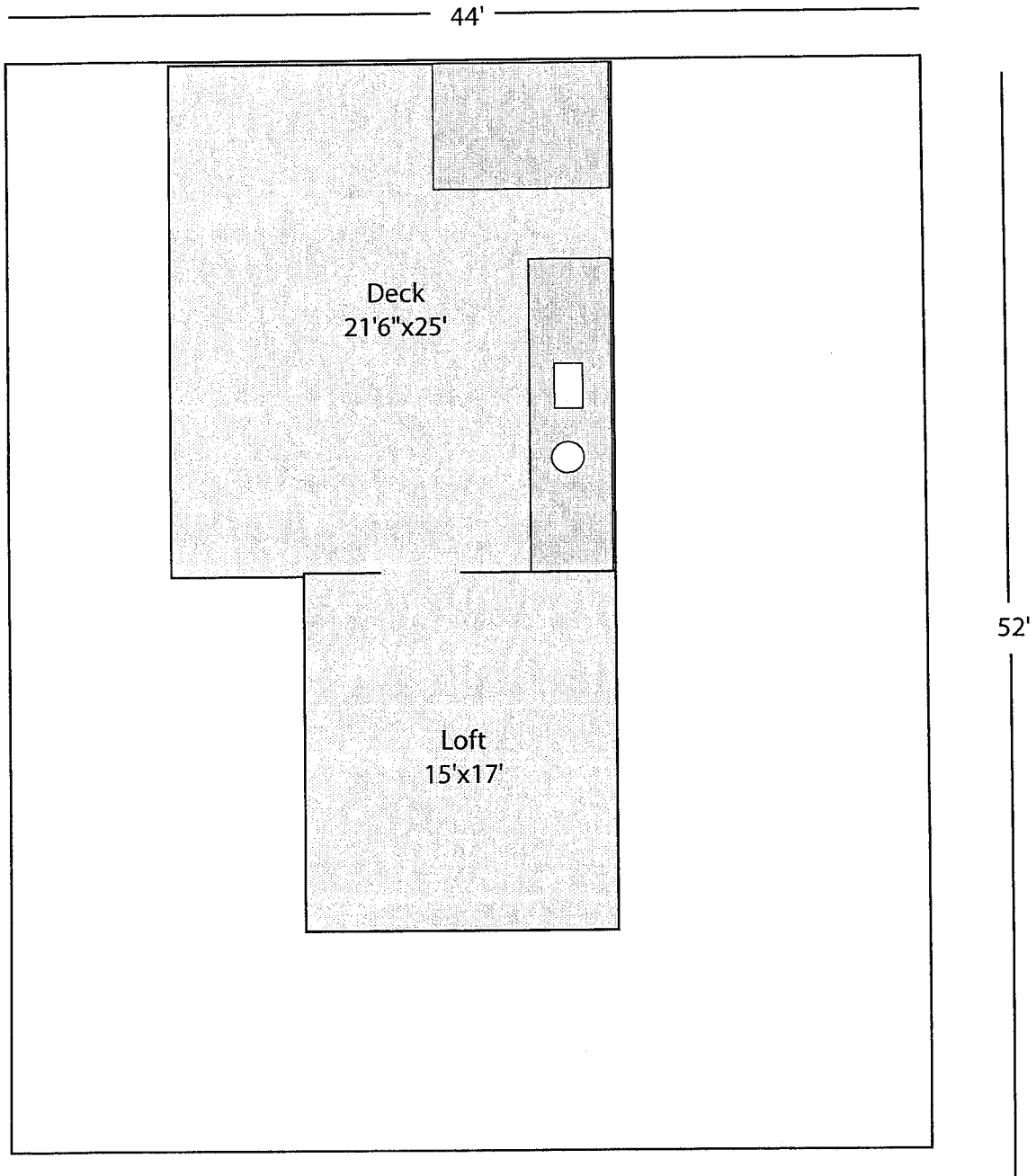
5-28



Living Space

4-19-05

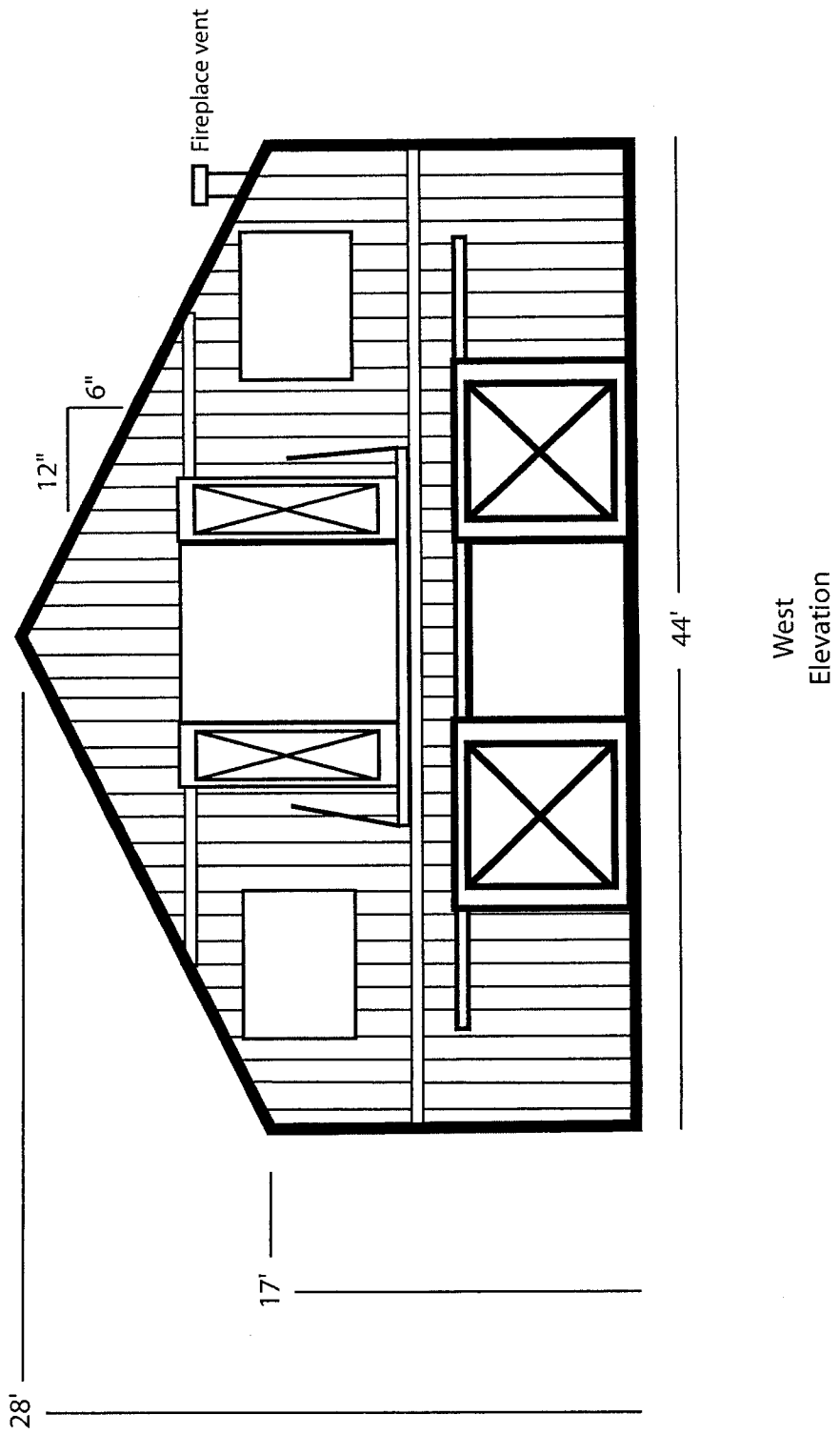
5-29



Loft & Deck

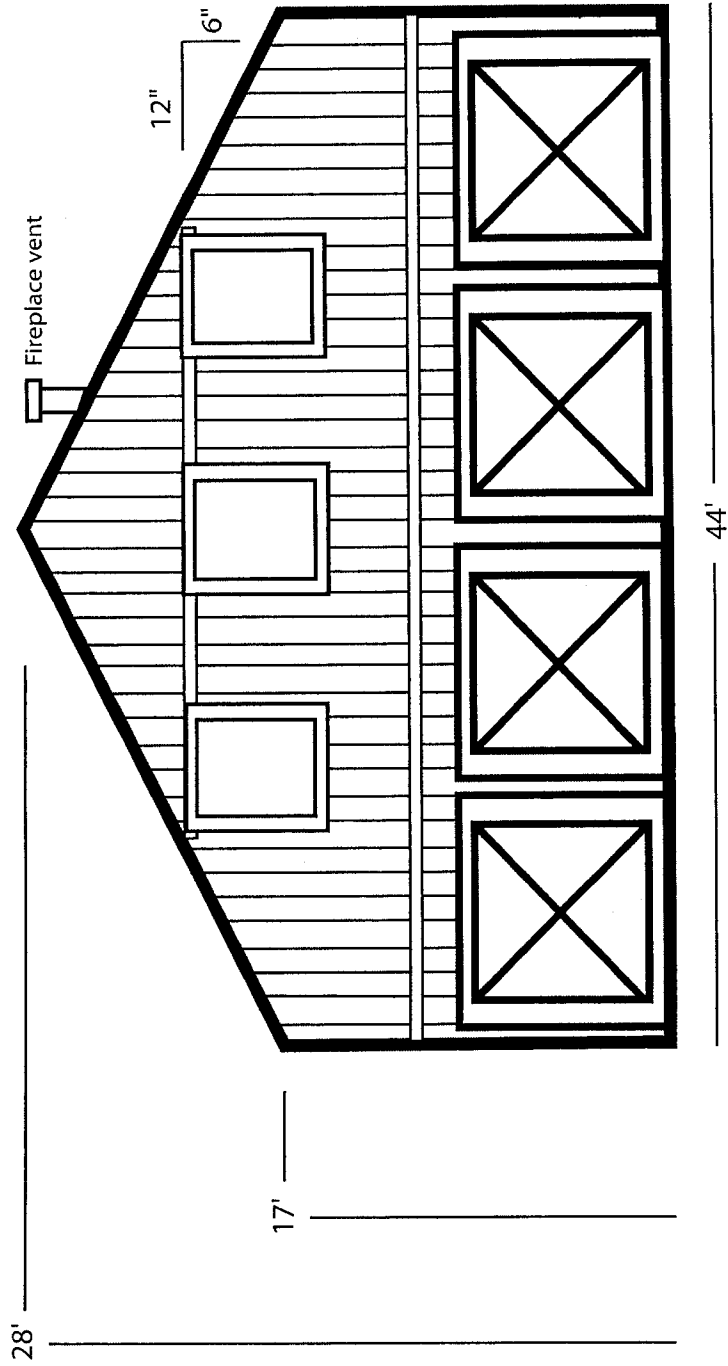
4-19-05

5-30



4-19-05

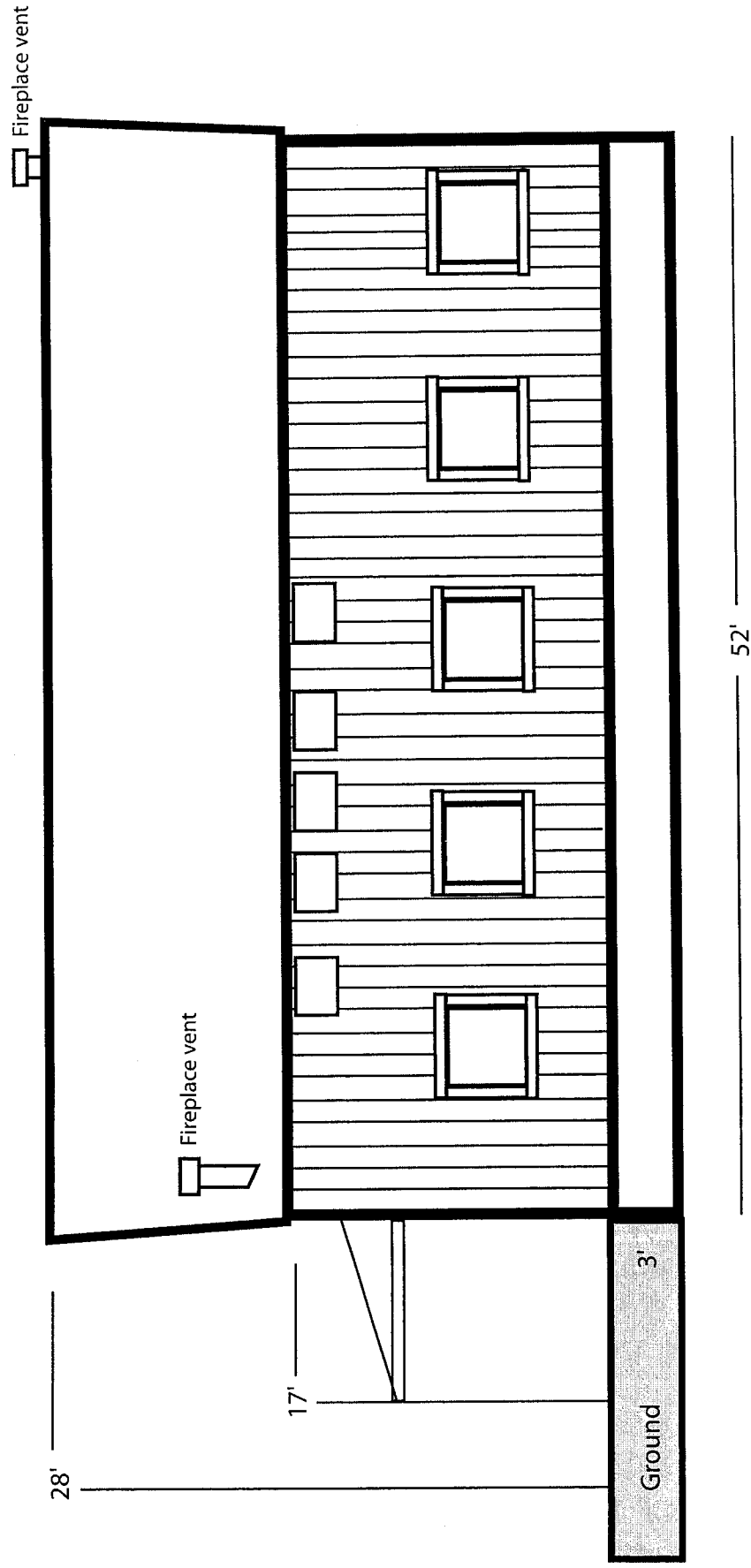
5-31



East
Elevation

4-19-05

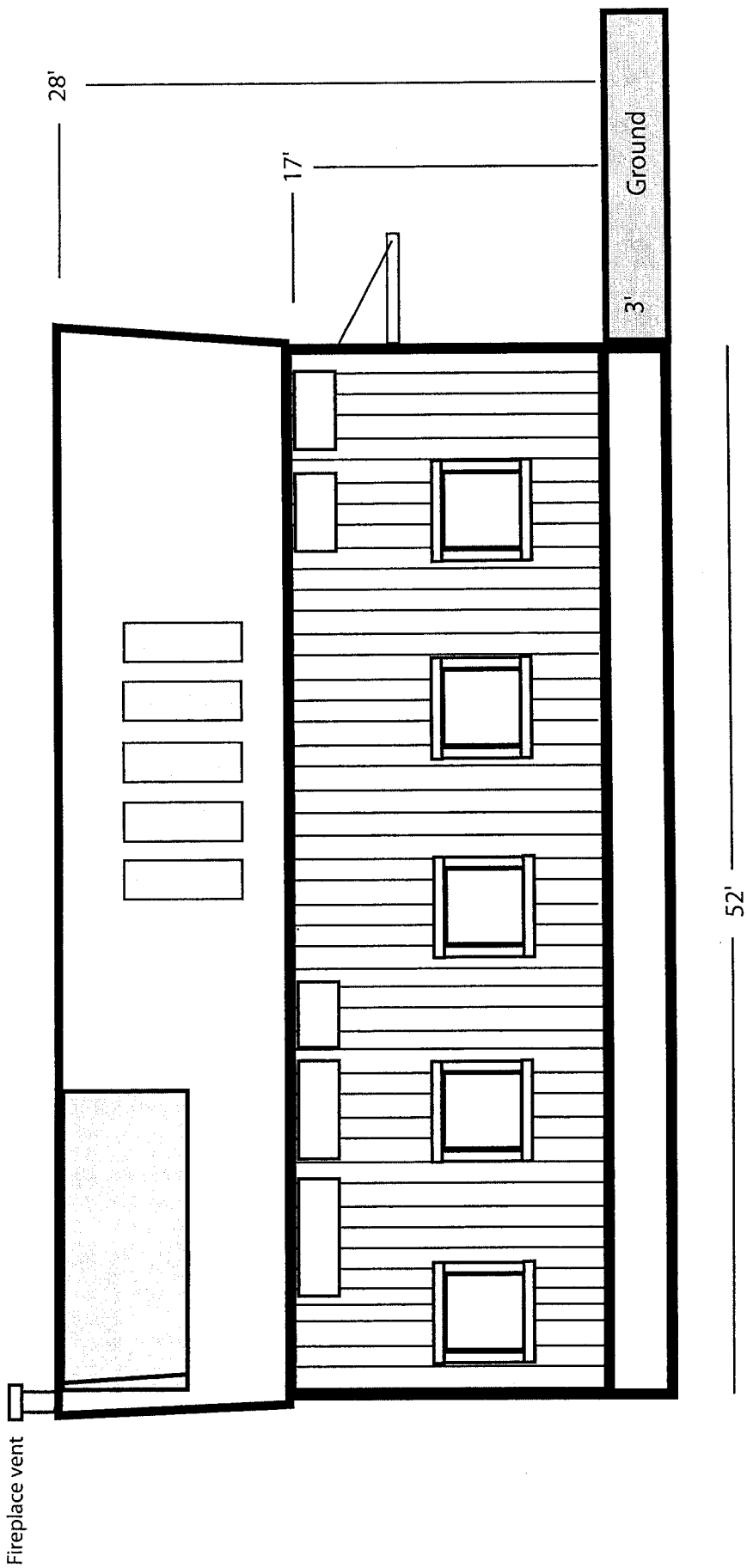
5-32



South
Elevation

4-19-05

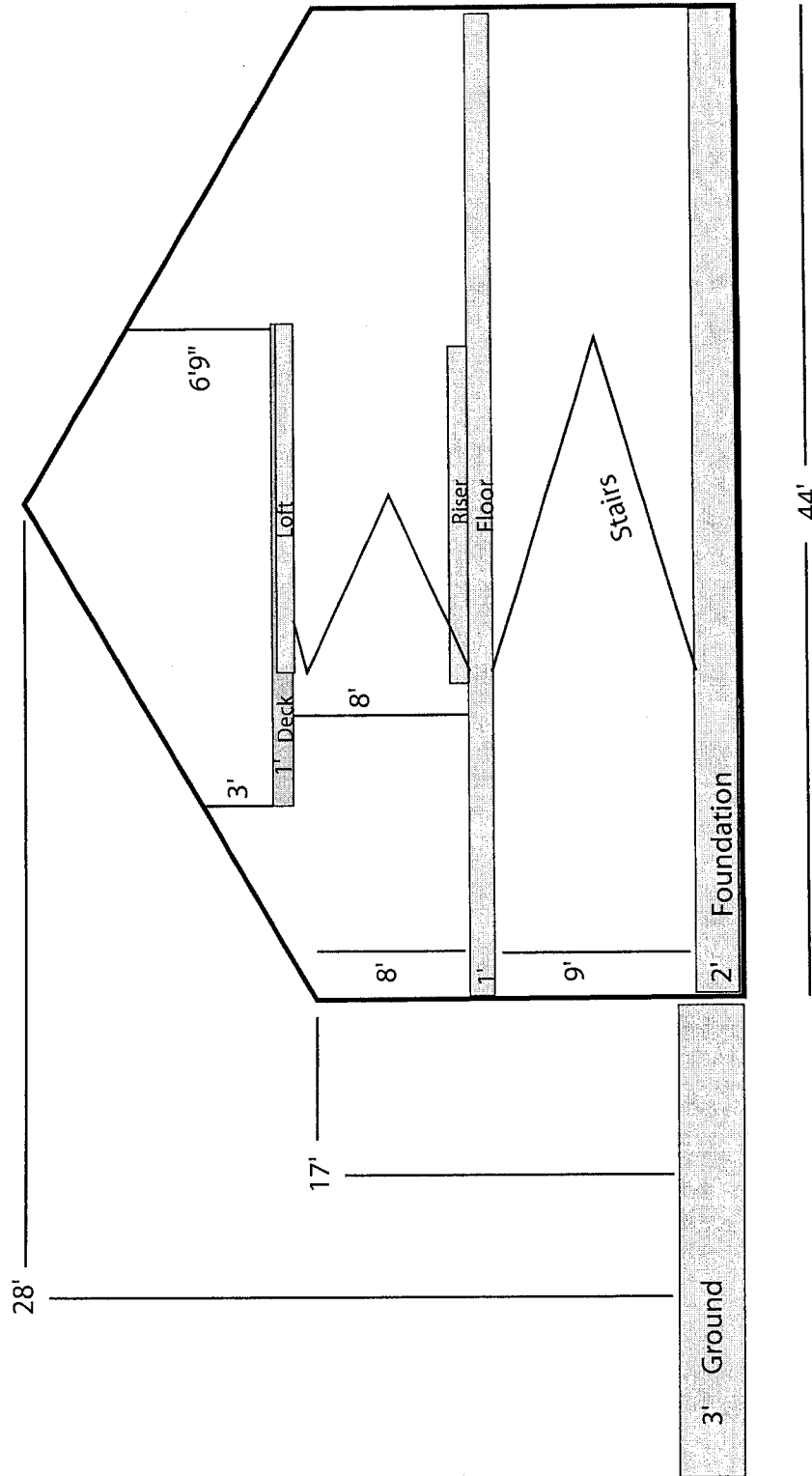
5-33



North
Elevation

4-19-05

5-34



Section

4-19-05

5-35



Mike Wulkan

07/14/2005 10:16 AM

To: Ramona Hedges/Planning/COSLO@Wings
cc:
Subject: Cayucos/PUD

Hi Ramona,

Could you please include this E-mail in the staff report for SUB2004-00271 if it has not yet been copied; otherwise, please distribute separately to the SRB members. Thanks. I have a clean copy of the E-mail if you like.

Mike Wulkan

Senior Planner

San Luis Obispo County Department of Planning and Building

----- Forwarded by Mike Wulkan/Planning/COSLO on 07/14/2005 10:14 AM -----



"Randall Dennis"

<rdennis@alltecmfg.co
m>

07/12/2005 06:00 PM

To: <mwulkan@co.slo.ca.us>
cc:
bcc:
Subject: Cayucos/PUD

Mike, good afternoon. I have been unable to obtain a home loan to build my house. This is because traditional home lenders will not lend on mixed-use projects. They are requiring a independent APN# to be issued for the lot and to have the MAP officially recorded with the County prior to lending even on the construction phase. Is there any kind of "Developers Statement" I may sign or "Performance Bond" that I may post in order to have the PUD processed upon approval August 1st (assuming we get approved) as apposed to waiting until the structure is built. Having to wait is putting me in a catch-22 since I can not get money to build the home until the home is built???

Please help...

Randall Dennis

—

5-36

June 11, 2005

Mr. Mike Wulkan
San Luis Obispo County
Department of Planning and Building
San Luis Obispo, CA 93408

RE: SUB 2004-00271

Dear Mike,

Per your request, the following letter is written and submitted to describe the three primary reasons to justify the request for minimum lot size adjustment. If there are alterations to this that County would like to see, please let me know so we may discuss and update accordingly.

I understand the recommended lot size to be 60'w X 80'l.

- 1 – This is to be adjusted since the parent Lot itself is only 50'w X 150'l.
- 2 – Sufficient space is required to create an open/common area to be shared by the two resulting lots.
- 3 – The existing commercial use of the structure within Parcel 1 is dictating its size.

Respectfully,

Randall A. Dennis
(805) 471-5089

P.O. Box 774, Cayucos, CA 93430

5-37

Cayucos

Land Use Committee

MEMO

TO: Mike Wulkan
FROM: Mary Ann Carnegie 995-3659
DATE: 6/2/05
RE: Randall Dennis Cass Barn PUD
250 North Ocean Ave Most recent referral SUB2004-00271

Second Referral SUB 2004-00271 for PUD on Parcel 064-094-032 to divide the parcel that the Cass Barn sits into three parcels-one for the Cass Barn, one for the commercial business currently there [P.J.'s], and one for the common area i.e. parking lot between the other two parcels.

This referral was received March 23, and caused some concern in that why is this a separate issue instead of being considered with the current project as a complete project? Why is the project being piece-mealed? A PUD appears to be an integral part of the entire process.

CONCERNS for PUD SUB2004-00271: [by dividing the one parcel into three parcels] WOULD

- setbacks of the two structures be met, or would they now become non-conforming to setbacks and parking requirements? [Especially since P.J.'s currently is retail and not for what it was originally approved for as a wine tasting business}. A condition on the recent PC hearing to bring into compliance.
- the proposed over hang of the barn's deck 18' x 8' —encroach on the parking areas below, and further impede available parking? Want to make sure this would NOT be the case.
- there be more pros than cons of doing a PUD, in other words does the PUD make the parcel a better parcel or not?

Because Mr. Dennis was unable to attend the 3/28 LUC Mtg., to offer his input on this referral, the item was delayed and put on the next LUC Mtg. to be 4/25 in hopes that he may be able to attend then. Unfortunately Mr. Dennis was unable to attend that meeting, but did send an e-mail explaining his reasons for the PUD: To have a common, mixed use for the private residence and for the business, as well as for both to have access to the drive approach. As an additional update: Mr. Dennis sent another email regarding the parcel and then was able to come to the next LUC on Monday, May 23. It was at this meeting that ALL reaffirmed that the PUD would be supported only if the proposed three parcels would not move into non-compliance. . The subject of parking was likewise discussed and it was agreed upon by all that the one handicap spot would not be removed; and parking requirements must be met.

In summary: the LUC remained in agreement that the PUD should NOT make any of the properties non-conforming.

Respectfully Submitted,

Mary Ann Carnegie
Chair, Land Use Committee

5-38

12



MW
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR
MAR 17 2005

THIS IS A NEW PROJECT REFERRAL

DATE: 3/7/05
FROM PW
FROM Coastal Team
TO
(Please direct response to the above)

DENNIS
SUB2004-00271
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNERS

PROJECT DESCRIPTION: Conc. Parcel map w/ cur. (Condo conversion)
lot size: 7,900 SF. located off N. Ocean Ave, Cayucos.
PUD -> 1-RME lot: 54x66 (3,558 SF), 1 CR lot 23x53
(1,219 SF), 1 common-area lot: 3,113 SF. APN: 064-094-032

Return this letter with your comments attached no later than: 3/22/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
? YES
NO

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
✓ NO (Please go on to Part III)
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

Is it a CONDO OR A PUD? THE TERMS ARE NOT INTERCHANGEABLE, THIS LOOKS LIKE
A PUD. A CONDO WOULD PROBABLY HAVE ONE LOT AND TWO UNITS. "Parcel A" IS
NOT IN COMPLIANCE WITH 21.02.046(11). FEMA FLOOD INS DATA IS NOT ZONE B IT IS
A-9 AND B, FLOOD ELEV 10FT AS STATED ON CERT - FINISHED FLOOR OF ALL MND STRUCTURES SHALL
BE AT ELEV. 11.0 FT, AND WILL REQUIRE A CERT. AT FOUNDATION INSPECTION. 23 FT wide lot doesn't
ALLOW MUCH BLDG, BUT WE DO IT IN LOS OROS & CUMBRIA SO OK. STICK BOND ATTACHED.

Date 22 MARCH 2005 Name GOODWIN Phone 5252

5-39

EXHIBIT B

CONDITIONS OF APPROVAL FOR CO 05-0018, DENNIS/TRIAD

Approved Project

This approval authorizes the division of a _____ acre parcel into _____ parcels of _____ **acres / square feet** each.

Access and Improvements

☐ Roads and/or streets to be constructed to the following standards:

- a. _____ constructed to a _____ section within a _____ foot dedicated right-of-way.
- b. _____ widened to complete a _____ section fronting the property.
- c. _____ constructed to a _____ section from the property to _____ (minimum paved width to be _____ feet).

☐ The applicant offer for dedication to the public by certificate on the map or by separate document:

- a. For future road improvement _____ feet along _____ to be described as _____ feet from the recorded centerline.
- b. For future road improvement _____ feet along _____ to be described as _____.
- c. For road widening purposes _____ feet along _____, to be described as _____ feet from the recorded centerline.
- d. The _____ foot road easement as shown on the tentative parcel map with a _____ foot radius property line return at the intersection of _____.
- e. A _____ foot radius property line return at the intersection of _____.
- f. The _____ foot road easement terminating in a county cul-de-sac as shown on the tentative map.

5-40

- ☐ The intersection of _____ and _____ be designed in accordance with California Highway Design Manual.
- ☐ Access be denied to lots _____ from _____ and that this be by certificate and designation on the map.
- ☐ The future alignment of _____ shall be shown on the map as reserved for future public right-of-way.
- ☒ A private easement be reserved on the map for access to lots 1 & 2.
- ☐ A practical plan and profile for access to lots _____ be submitted to the Department of Public Works and the Department of Planning and Building for approval.
- ☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

- ☐ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.
- ☒ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- ☐ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
- ☐ If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not longer required.

5-41

Drainage

- ☐ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☐ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☐ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☐ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. granted to the public in fee free of any encumbrance.
 - b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
 - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☐ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program. *Provide WDID# to County*

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) _____, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.** Impervious paving over a disposal area is not considered acceptable.

5-42

- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to _____ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**_____.

Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

- ☒ Electric and telephone lines shall be installed **underground** ~~overhead~~
- ☒ Cable T.V. conduits shall be installed in the street.
- ☒ Gas lines shall be installed.
- ☐ A _____ feet public utility easement on private property along _____, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

Design

- ☐ The lots shall be numbered in sequence.
- ☐ The _____ on lot _____ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of _____ shall contain a minimum area of _____ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. *(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)*

Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

5-44

Easements

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building***. The open space parcel is to be maintained as such in perpetuity.

Landscape Plans

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing. (*ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN*)
 - b. Drainage basin perimeter landscape screening. (*ONLY USE FOR FENCED BASINS*)
 - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within _____ days of completion of the improvements.

Mitigations PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE **ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP**

- ☐ _____
- ☐ _____

Additional Map Sheet



- ☒ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

CHOOSE APPLICABLE PROVISIONS

- a. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
- c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** _____.

5-45

- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- h. The limits of inundation from a 100 year storm over lots 1 & 2 from Cayucos ~~creek~~ river shall be shown on the additional map and note the required building restriction in the on the sheet.
- i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated _____ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. (ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
- A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** _____
- _____
- _____

Covenants, Conditions and Restrictions

- ☒ The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

CHOOSE APPLICABLE PROVISIONS

- a. On-going maintenance of drainage basin fencing in perpetuity.
- b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- ☒ c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- ☒ j. The limits of inundation from a 100 year storm over lots 1 & 2 from Cayucos ~~creek~~ river shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. (ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)
- l. _____

Low Cost Housing (USE IN COASTAL ZONE ONLY)

- ☐ Provide _____ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the _____ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

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Miscellaneous



This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.



A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.



Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.



Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.



All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

5-48

Jan DiLeo

05/11/2005 03:47 PM

To: Mike Wulkan/Planning/COSLO@Wings

cc:

Subject: Re: SUB2004-00271 

Hi Mike,

Thanks for the clarification. I thought this was only a condo conversion. I did not understand it creates another lot. So - please require Quimby Fees and applicable Building Division fees. THANKS!


Jan Di Leo

Parks Planner

SLO County Parks

(805) 781-4089 <http://www.slocountyparks.org>

Mike Wulkan

 Mike Wulkan

05/06/2005 12:49 PM

To: Jan DiLeo/GenSrvcs/COSLO@Wings

cc:

Subject: SUB2004-00271

Hi Jan,

You sent us a "no comment" response to this proposed Planned Development in Cayucos by Randall Dennis. No dwelling currently exists, but a proposed dwelling has been approved by the Planning Commission and may need to be completed prior to recordation of this proposed Parcel Map. What this proposed project would do is create one small lot corresponding to an existing commercial building, and create another small lot for a proposed and approved dwelling, together with a common area. Do you still have no comment? Are Quimby fees required? I'm not sure that this project is exempt under Gov. Code Section 66477. Thanks.

Mike Wulkan

Senior Planner

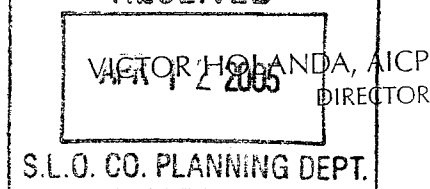
San Luis Obispo County Department of Planning and Building

549

12



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



THIS IS A NEW PROJECT REFERRAL

DATE:

3/7/05 04/11/05

FROM:

Parks

TO:

Coastal Team

(Please direct response to the above)

DENNIS

SUB 2004-00271

Project Name and Number

Development Review Section (Phone: 788-2009)*OR ASK THE SWITCH-
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION:

Cone Parcel map w/ cur. (Condo conversion)
lot size: 7,900 SF. located off N. Ocean Ave. Cayucos.
PUD -> 1-RME lot: 54x66 (3,558 SF), 1 CR lot 23x53
(1,219 SF), 1 common-area lot: 3,113 SF. APN: 064-094-032

Return this letter with your comments attached no later than:

3/22/05PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO
PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO (Please go on to Part III)
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

NO COMMENT
04/11/05
 Date

JAN D. LEO
 Name

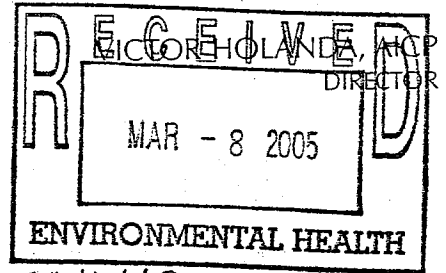
X 4089
 Phone

5-50

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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING



THIS IS A NEW PROJECT REFERRAL

DATE:

3/7/05

TO:

Env. Health

FROM:

Coastal Team
(Please direct response to the above)

1005-0018

DENNIS

SUB 2004-00271

Project Name and Number

Development Review Section (Phone:

788-2009

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNER)

PROJECT DESCRIPTION:

Conc. Parcel map w/ cur. (Condo conversion)
Lot size: 7,900 SF. located off N. Ocean Ave, Cayucos.
PLUD -> 1-RME lot: 54x66 (3,558 SF), 1 CR lot 23x53
(1,219 SF), 1 common-area lot: 3,113 SF. APN: 064-094-032

Return this letter with your comments attached no later than:

3/22/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

____ YES
____ NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

____ NO (Please go on to Part III)
____ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

See attached letter dated 3/4/05

3/4/05
Date

Laurie Sal
Name

781-5551
Phone



County of San Luis Obispo • Public Health Department

mw
SUB2004-00271

Environmental Health Services

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

March 4, 2005

Randall Dennis
340 Kings Avenue
Morro Bay, CA 93442

ATTN: **RANDALL DENNIS**
RE: **TENTATIVE PARCEL MAP CO 05-0018 (DENNIS)**
APN 064-094-032

Water Supply

This office is in receipt of a letter from the Morro Rock Mutual Water Company to provide water service to the above referenced subdivision. Be advised that water service is currently available to the project.

Wastewater Disposal

This office is in receipt of a will-serve letter from The Cayucos Sanitary District to provide sewer service to the above referenced subdivision. Sewer service is currently available to the existing parcel. Be advised that all sewer improvements will need to be built to the property line or bonded for prior to final recordation of the map.

CO 05-0018 is approved for Health Agency subdivision map processing.

Laurie Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c: Kami Griffin, County Planning
Coastal Team, County Planning
Morro Rock Mutual Water Company
Cayucos Sanitary District



MW
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 3/7/05
 TO: C.F.P.D.
 FROM: Coastal Team
 (Please direct response to the above)

DENNIS
SUB2004-00271
 Project Name and Number

Development Review Section (Phone: 788-2009)

*OR ASK THE SWITCH-
 BOARD FOR THE PLANNER

PROJECT DESCRIPTION:

Conc. Parcel map w/ CUP (Condo conversion)
lot size: 7,900 SF located off N. Ocean Ave, Cayucos.
244D - RME lot: 54x66 (3,558 SF), 1 CR lot 23x53
(1,219 SF), 1 common-area lot: 3,113 SF. APN: 064-094-032

Return this letter with your comments attached no later than:

3/22/05

ART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

X YES
 _____ NO

ART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

X NO (Please go on to Part III)
 YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

ART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

We would like to see some restriction placed on Parcel A (Common Area)
to provide emergency access to Parcel 2. The alley serving Parcel 2
is dead-end w/no turnaround and doesn't constitute an emergency
access.

3-12-05
 Date

Bill Brooks
 Name

995-3371
 Phone



MW 5-53 12

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

3/7/05

TO:

~~P.R. Beach H2O Assn.~~

Morro Rock

FROM:

Coastal Team

mutual water CO.

DENNIS

(Please direct response to the above)

SUB2004-00271

Project Name and Number

Development Review Section (Phone:

788-2009

*OR ASK THE SWITCH-
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION:

Conc Parcel map w/ cur. (Condo conversion)
 Lot size: 7,900 SF. located off N. Ocean Ave, Cayucos.
 PUD -> 1 - RME lot: 54x66 (3,558 SF), 1 CR lot 23x53
 (1,219 SF), 1 common-area lot: 3,113 SF. APN: 064-094-032

Return this letter with your comments attached no later than:

3/22/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO
PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

WATER SERVICE WILL BE PROVIDED TO THESE
 PROPERTIES PROVIDED THAT ALL CONDITIONS
 IMPOSED BY MORRO ROCK MUTUAL ARE SATISFIED

Date

3-15-05

Name

GEORGE SMITH

Phone

995-3766

5-54



**COUNTY OF SAN LUIS OBISPO
NEGATIVE DECLARATION ADDENDUM**

FOR OFFICIAL USE ONLY (MW)

ENVIRONMENTAL DETERMINATION NO. ED04-530

DATE: June 16, 2005

PROJECT/ENTITLEMENT: Dennis Parcel Map and Development Plan (SUB2004-00271/
CO 05-0018)

APPLICANT NAME: Randall Dennis

ADDRESS: 340 Kings Ave., Morro Bay, CA 93442

CONTACT PERSON: Same as applicant

Telephone: 471-5089

PROPOSED USES/INTENT: The original Mitigated Negative Declaration (ED 04-227, issued 12/16/04) was for a request by Randall Dennis to allow for 1) reduction of the side yard and rear yard, and 2) the demolition of an existing barn to establish an approximately 4,600 square-foot single-family residence, resulting in the disturbance of approximately 3,450 square feet of an approximately 7,900 square-foot parcel (which currently includes an approximate 900 square-foot commercial building and a parking area). The proposed change is a request for a Parcel Map, Development Plan and Coastal Development Permit to create a planned development that would 1) subdivide the existing parcel into a parcel of 3,558 square feet for the proposed, approximately 4,600 square-foot residence, a parcel of 1,334 square feet for the existing, approximately 900 square-foot commercial building, and a common parcel of 2,998 square feet, for the purpose of sale and/or development; and 2) provide for an adjustment to the requirements of Section 21.03.010c of the Real Property Division Ordinance by making an exception to the required minimum lot width and depth. These proposed changes would not result in additional development or site disturbance compared to the approved project for which the original Mitigated Negative Declaration was issued. The impacts identified in the original negative declaration include the following areas: cultural resources, geology and soils, and public services/utilities.

LOCATION: The project is located at 250 North Ocean Avenue, approximately 200 feet west of Cayucos Drive in the community of Cayucos. The site is in the Estero Planning Area

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

FINDINGS: Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162), the Lead Agency may prepare an addendum to an adopted negative declaration where all of the following apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) new information of substantial importance which was not known or could not have been known at the time of the adopted Negative Declaration.

Based on staff's determination that all of the above conditions apply, an addendum to the adopted Negative Declaration is appropriate. The basis for this conclusion is described in the following section. In addition, please refer to the original Negative Declaration for further discussion about all potentially significant issues originally identified for the proposed project.

BASIS FOR ADDENDUM: The following describes why each of the above-identified issue areas will not result in any significant additional impact.

The proposed change will not result in additional development or site disturbance compared to the approved project for which the original Mitigated Negative Declaration was issued. Regarding cultural resources, no significant change is proposed to the location of development or the

5-55

the approved project for which the original Mitigated Negative Declaration was issued. Regarding cultural resources, no significant change is proposed to the location of development or the amount of site disturbance. All mitigation measures for the approved project are included in this new project, including designing the proposed residence to recreate the "look and feel" of the historic "Cass barn," establishing an historic record of the original structure, and monitoring all earth disturbing activities by a qualified archaeologist/historic resource specialist. Regarding geology and soils (development within a 100-year flood zone), no significant change is proposed to the location and elevation of the proposed residence. As required for the approved project, this new project will be required to comply with applicable flood hazard standards, including sufficiently elevating the proposed residence above the 100-year storm flood profile. Regarding public services and utilities, no change is proposed to the type or amount of development, and as required for the approved project, this new project will be required to pay all applicable school and public facilities fees.

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

Mike Wulkan	<i>Mike Wulkan</i>	Project Manager	6-3-05	County of San Luis Obispo
Name	Signature	Title	Date	Public Agency



5-56
1-34

COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (mw)

ENVIRONMENTAL DETERMINATION NO. ED04-227

DATE: 12/16/04

PROJECT/ENTITLEMENT: Dennis Minor Use Permit/Costal Development Permit/Variance
(DRC2003-00032, DRC2003-00075)

APPLICANT NAME: Randall Dennis

ADDRESS: 340 Kings Ave., Morro Bay, CA 93442

CONTACT PERSON: Same as applicant

Telephone: (805) 471-5089

PROPOSED USES/INTENT: A request by Randall Davis to allow for 1) reduction of the side yard setbacks from five feet to four feet 11 inches, and the rear yard setbacks from ten feet to 3 feet, and 2) the demolition of an existing barn to establish an approximate 4,600 square-foot single-family residence, which will result in the disturbance of approximately 3,450 square feet of an approximately 7,900 square-foot parcel that is currently developed with an approximately 900 square-foot commercial building and a parking area. The proposed project is within the Residential Multi-Family land use category. The site is in the Estero Planning Area

LOCATION: The project is located at 250 North Ocean Avenue, approximately 200 feet west of Cayucos Drive in the community of Cayucos. The site is in the Estero Planning Area

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on December 30, 2004

30 DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☒ *Lead Agency*

☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Mike Wulkan

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Dennis Minor Use Permit/Coastal Development Permit/Variance
ED 04-227/DRC2003-00032, DRC2003-00075

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation.
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Mike Wulkan
Prepared by (Print)

Mike Wulkan
Signature

12/2/04
Date

Steven McMasters
Reviewed by (Print)

Steven McMasters
Signature

Ellen Carroll,
Environmental Coordinator
(for)

12/1/04
Date

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Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Randall Dennis for a Minor Use Permit/Coastal Development Permit/Variance to: a) allow demolition of the Cass barn, b) allow construction of an approximately 4,600 square-foot single-family residence in its place, including an approximately 1,200 square-foot garage on a portion of the lower level, c) reduce the required side yard setbacks from five feet to four feet, 11 inches, and d) reduce the required rear yard setback from 10 to three feet. The project will result in the disturbance of approximately 3,450 square feet of an approximately 7,900 square-foot parcel that is currently developed with an approximately 900 square-foot commercial building and a parking area. The proposed project is within the Residential Multi-Family land use category and is located at 250 North Ocean Avenue, approximately 200 feet west of Cayucos Drive in the community of Cayucos. The site is in the Estero Planning Area.

ASSESSOR PARCEL NUMBER(S): 064-094-032

SUPERVISORIAL DISTRICT # 2

B. EXISTING SETTING

PLANNING AREA: Estero, Cayucos

LAND USE CATEGORY: Rural Lands

COMBINING DESIGNATION(S): Local Coastal Plan/Program, Flood Hazard

EXISTING USES: Commercial use, Cass barn

TOPOGRAPHY: Nearly level

VEGETATION: Ornamental landscaping

PARCEL SIZE: 7,900square feet

SURROUNDING LAND USE CATEGORIES AND USES:

North: Residential Multi-Family; residential

East: Commercial Retail; residential

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South: Recreation; parking lot	West: Residential Multi-Family; residential
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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, two issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create glare or night lighting which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located within an urban area adjacent to existing commercial development and residential development of a similar scale, is located on the inland side of North Ocean Avenue, and will be visible from that street, a major public roadway.

Impact. No significant visual impacts are expected to occur, because the project is consistent with adjacent development of a similar nature, will comply with height limitations of the Estero Area Plan, and will not affect public views to and along the coast.

Mitigation/Conclusion. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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2. AGRICULTURAL RESOURCES

- Will the project:

- c) **Conflict with existing zoning or Williamson Act program?**
- d) **Other** _____

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

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Setting.

Cropley clay (2-9%)

The project is located in an urban area in the Residential Multi-Family land use category. There are no existing or adjacent agricultural uses.

As described in the NRCS Soil Survey, the "non-irrigated" soil class is "II" ,and the "irrigated soil class is "III".

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:

- a) **Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?**
- b) **Expose any sensitive receptor to substantial air pollutant concentrations?**
- c) **Create or subject individuals to objectionable odors?**
- d) **Be inconsistent with the District's Clean Air Plan?**
- e) **Other** _____

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

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Setting. The Air Pollution Control District has developed the CEQA Air quality Handbook to evaluate project specific impacts and to help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. In order to evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will result in the disturbance of approximately 3,400 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day

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of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Ornamental landscaping
Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: None

Wildlife: None

Habitats: None

Impact. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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5. CULTURAL RESOURCES -

Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

d) *Other* _____

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Setting. The project is located in an area historically occupied by the Obispeno Chumash. The site is occupied by the 1876 Cass barn. No known paleontological resources are known to exist in the area.

The Cass barn is considered to be of historical significance due to its relationship to the other buildings that comprise the Cass complex of buildings, including the Cass house, Cass barn and outbuildings (Parker & Associates, 1999). This complex comprises a recorded archaeological site that is also listed in the California Inventory of Historic Resources (DPR 1976). The site meets the following criteria in the State guidelines (Title 14, Public Resources Code, Section 4852 b and c) for determining significance of a cultural resource: 1) it is associated with the lives of persons important to local, California or national history (James Cass), and 2) it has yielded, or has potential to yield, information important to prehistory or history of the local area, California or the nation.

Impact. A surface survey was conducted for the subject property (Greenwood, 1985). No evidence of prehistoric cultural materials was noted on the property, but the background research and field inspection confirmed the existence of the 1876 Cass barn. No paleontological resources are known to exist in the area. Impacts to prehistoric cultural or paleontological resources are not expected.

Because the Cass barn is considered to be an historic structure, demolition of the barn would result in a potential adverse, significant impact. However, the structure lacks sufficient integrity that would allow for re-use/rehabilitation. A report by a structural engineer (Charles E. Moore, November 2004) determined that preserving and restoring the existing barn for either storage or residential use is not feasible. The engineer concluded that the structural members of the building are inadequate and the building lacks structural integrity, the building is a fire and safety hazard, almost none of the building materials are salvageable, and the building should be completely demolished. Therefore, salvaging the existing barn is not a feasible alternative.

Demolition of the barn will result in a loss to the overall appearance and make-up of the "Cass complex," and will result in a loss of historic information.

Mitigation/Conclusion. No significant impacts to paleontological resources are expected, and no mitigation measures for those resources are necessary.

The proposed development is unlikely to impact prehistoric cultural resources; however due to the close proximity to Cayucos Creek and its estuary, where there is a higher likelihood of encountering buried, isolated resources or artifacts, monitoring by a qualified archaeologist during grading and earth disturbing activities will address this potential impact and reduce it to a level of insignificance.

Demolition of the historic Cass barn is potentially significant, but the project will be required to incorporate measures (recommended in the Cultural Resource Investigation of the Dennis Parcel prepared by Parker & Associates) to reduce potentially significant impacts to historic resources to a level of insignificance. Because the key historic elements in this case are the context of the building in relation to the Cass complex and information related to construction of the structure, the mitigation measures aim to recreate the "look and feel" of the original structure and establish an historic record of the original structure. The proposed location of the new structure will preserve the prominent visual status of the Cass House along North Ocean Avenue. The required mitigation measures are as follows:

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- a) Prior to demolition, the historical background of the structure shall be researched; measurements, detailed photographs, and structural samples shall be collected; and archaeological mapping of structural details and related artifacts shall be conducted (see attached Developer's Statement).
- b) All grading and earth disturbing activities on the subject property shall be monitored by a qualified archaeologist/historic resource specialist (see attached Developer's Statement).
- c) Wherever possible, the exterior of the new structure shall use hardware and siding recovered from the original Cass barn, and where the original hardware is not serviceable, new materials may be used that maintain the nature of the original. If used, composite shingles shall mimic the color and texture of the original shingle roofing. The new structure shall be either white or "barn red." (see attached Developer's Statement for the preceding measures)
- d) The proposed design of the new structure includes the following mitigation measures: windows on the sidewalls shall mimic the original horse stall doors. One or two unobtrusive windows shall be installed in place of the loft doors. Skylights shall be located on the side of the roof that slopes away from the Cass house.
- e) The proposed design of the new structure includes the following features that help satisfy the preceding mitigation measures and that help retain the original look of the Cass barn.
 - 1) The size will be similar to the Cass barn, and the proportions and the shape will be the same.
 - 2) The location on the site will be similar to the Cass barn. The proposed Variance to allow a rear yard setback of three feet instead of the required 10 feet will help enable the new structure to both maintain the proportions of the Cass barn and be located within the barn's footprint
 - 3) Any usable exterior siding will be preserved and reused by attaching as single, vertical planks.
 - 4) Loft doors and the main sliding barn doors will be recreated on the south elevation.
 - 5) Horse stall windows will be recreated on the east and west elevations.
 - 6) Skylights will be on the west elevation away from the Cass house.

Incorporation of the preceding measures will reduce the potential impact to a level of insignificance.

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6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered negligible. The liquefaction potential during a ground-shaking event is considered high according to the Safety Element. However, a geotechnical report prepared by Mid-Coast Geotechnical in January 2000, together with a follow-up letter in November 2004 regarding liquefaction potential, concluded that the likelihood of liquefaction is very low. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

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DRAINAGE – The area proposed for development is within the 100-year Flood Hazard designation. The closest creek to the proposed development is approximately 250 feet to the west. As described in the NRCS Soil Survey, the soil is considered moderately-well drained. For areas where drainage is identified as a potential issue, the CZLUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION - The soil type is
(2-9%)

Cropley clay

As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility, and high shrink-swell characteristics.

Impact. As proposed, the project will result in the disturbance of approximately 3,400 square feet and exposure of the proposed dwelling to potential flood hazards.

Mitigation/Conclusion. The proposed residential structure will be subject to the Flood Hazard Area standards of the Coastal Zone Land Use Ordinance. Those standards include a requirement that the ground floor be constructed at least one foot above the 100-foot storm flood profile level. The applicant is proposing to use fill and a slab foundation to elevate the structure above the flood level. In this case, based on a drainage plan, the structure needs to be elevated about three feet above the natural grade. There is no evidence that measures above what will already be required by ordinance or by code are needed.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Setting. The project is located within about 250 feet of the site of a past underground tank leak at the site of a gas station that has since been remediated and that is being monitored by the Regional Water Quality Control Board. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials, and should not be affected by potential underground pollution from past leakage of a gas tank, as the source of domestic water is Whale Rock Reservoir, not an on-site well. Furthermore, according to a geotechnical report prepared by Mid-Coast Geotechnical in January 2000, groundwater levels range from 5.5 to 7.5 feet in depth, but excavation for the project is not expected to occur at those depths. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels which exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is adjacent to North Ocean Avenue, which is not identified as a transportation noise source in the *Noise Element* of the County General Plan. The retail commercial use on the same property is not an intensive use, has hours of operation that are limited by ordinance, and will not generate a significant amount of traffic or noise. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences).

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

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9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in the Residential Multi-Family land use category and on the same site as an existing commercial use. Development of multi-family dwellings that could provide opportunities for affordable housing on this site in compliance with ordinance requirements for parking and open space would be difficult to achieve due to limited site area. In its efforts to provide for affordable housing, the county currently administers a Community Development block Grant Program that provides grants to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and the Cayucos Fire Protection District as the primary emergency responders. The closest fire station is less than two blocks away on Cayucos Drive. The closest Sheriff substation is in Los Osos, which is between five and 10 miles from the proposed project. The project is located in the Cayucos Elementary School District and the Coast Unified School District (for high school).

Impact. The project direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

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**12. TRANSPORTATION/
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public roads: Cayucos Drive (a collector street) via the alley between North Ocean and Ash Avenues. Cayucos Drive is currently operating at an acceptable level of service, and is expected to operate at an acceptable level at buildout under the proposed Estero Area Plan, according to the certified Final EIR for the area plan update. A referral was sent to the Public Works Department, and no significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of about 10 trips per day/unit. This small amount of additional traffic will not result in a significant change to the existing road service levels or traffic safety.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary.

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13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Adversely affect community wastewater service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project will generate approximately 175 gallons per day of effluent. The project proposes to connect to the existing community sewer system, the effluent from which is treated at the Morro Bay treatment plant.

Impact. A conditional "will-serve" letter has been received from the Cayucos Sanitary District. According to the certified Final EIR for the Estero Area Plan update, there is sufficient wastewater treatment plant capacity at the Morro Bay treatment plant, both today and at buildout under the proposed Estero Area Plan, considering wastewater flow from both Cayucos and Morro Bay.

Mitigation/Conclusion. No significant wastewater impacts were identified, and no mitigation measures are necessary.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Setting. The project will use a total of about 0.2254 acre-feet of water per year. The project is to connect to a community water system operated by the Morro Rock Mutual Water Company. The water purveyor may participate in the proposed Lake Nacimiento water project in order to obtain supplemental water.

The topography of the project is nearly level. The closest creek from the proposed development is approximately 250 feet away. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility.

Impact. The Morro Rock Mutual Water Company has issued a "will-serve" letter. If supplemental water is needed to serve future buildout, the water purveyor has the ability to participate in the proposed Lake Nacimiento water project.

As proposed, the project will result in the disturbance of approximately 3,400 square feet. No grading is proposed other than that for excavations for footings and a foundation.

Mitigation/Conclusion. Since no potentially significant water quantity impacts were identified, no specific measures are necessary. Standard drainage measures will be required for the proposed project that will adequately protect surface water quality. No additional measures are necessary. Potential water quality impacts are either insignificant or will be reduced to less than significant levels through existing ordinance requirements.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed single-family residential use is compatible with the surrounding uses, because they are low-intensity uses consisting of single-family dwellings, a proposed bed and breakfast facility, and a small commercial retail use with limited hours of operation on the same site.

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The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Coastal Zone Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (Cayucos Fire Protection District for Fire Code). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project includes a Variance to: a) reduce the required side yard setback from five feet to four feet 11 inches, and b) reduce the rear yard setback from 10 to three feet. Findings could be made to justify the rear yard setback Variance, but not the side yard setback. In any case, however, the Variance requests are not inconsistent with policy and/or regulatory documents relating to the environment and appropriate land use, and will not result in incompatible land uses.

The project is not within or adjacent to a Habitat Conservation Plan area

Mitigation/conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

- a) ***Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?***
- ☐ ☒ ☐ ☐
- b) ***Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)***
- ☐ ☒ ☐ ☐
- c) ***Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?***
- ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input checked="" type="checkbox"/>	CA Coastal Commission	None
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Cayucos Fire Protection District</u>	Attached
<input checked="" type="checkbox"/>	Other <u>Cayucos Sanitary District</u>	Not Applicable

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Cultural Resource Investigation of the Dennis Parcel, APN 064-094-023, 250 North Ocean Ave., Cayucos, CA-SLO-1214H, Parker & Associates, September 29, 1999

Letter from Charles E. Moore, Civil Engineer, regarding structural integrity of the barn, November 9, 2004

Geotechnical Engineering Report, Proposed Commercial Remodel, 250 North Ocean Avenue, Cayucos, Mid-Coast Geotechnical, Inc., January 17, 2000

Site Liquefaction and Slope Stability Potential, Mid-Coast Geotechnical, Inc., November 2004

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Exhibit B - Mitigation Summary Table

Cultural Resources

Prior to issuance of a construction permit for demolition of the barn, the applicant shall submit to the Environmental Coordinator a letter from a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) that details the results of the following required investigation and field work that is to be performed by that person: a) a report on the historical background of the structure, b) measurements, detailed photographs, and structural samples of the barn, c) archaeological mapping of the structural details and related artifacts.

Prior to issuance of construction permit, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist/historic resource specialist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- A. List of personnel involved in the monitoring activities;
- B. Description of how the monitoring shall occur;
- C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- D. Description of what resources are expected to be encountered;
- E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
- F. Description of procedures for halting work on the site and notification procedures;
- G. Description of monitoring reporting procedures.

During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological or historic resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist/historic resource specialist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

<p>Monitoring: A letter shall be submitted by the consulting archaeologist. Compliance will be verified by the Environmental Coordinator in consultation with the Department of Planning and Building.</p>

At the time of application for construction permits, the applicant shall submit architectural elevations of the proposed structure to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials and colors. The new structure shall be either white or "barn red. If used, composite shingles shall mimic the color and texture of the original redwood shingle roofing. Wherever possible, the exterior of the new structure shall use hardware and siding recovered from the original Cass barn, and where the original hardware is not serviceable, new materials may be used that maintain the nature of the original.

<p>Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator prior to final inspection.</p>
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November 30, 2004

**DEVELOPER'S STATEMENT FOR DENNIS
MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT/VARIANCE;
ED 04-227/DRC2003-00032; DRC2003-00075**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

CULTURAL RESOURCES

Prior to issuance of a construction permit for demolition of the barn, the applicant shall submit to the Environmental Coordinator a letter from a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) that details the results of the following required investigation and field work that is to be performed by that person: a) a report on the historical background of the structure, b) measurements, detailed photographs, and structural samples of the barn, c) archaeological mapping of the structural details and related artifacts.

Prior to issuance of construction permit, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist/historic resource specialist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- A. List of personnel involved in the monitoring activities;
- B. Description of how the monitoring shall occur;
- C. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- D. Description of what resources are expected to be encountered;
- E. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
- F. Description of procedures for halting work on the site and notification procedures;
- G. Description of monitoring reporting procedures.

During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist/historic resource specialist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological or historic resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined

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by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.


Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist/historic resource specialist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Monitoring: A letter shall be submitted by the consulting archaeologist. Compliance will be verified by the Environmental Coordinator in consultation with the Department of Planning and Building.

At the time of application for construction permits, the applicant shall submit architectural elevations of the proposed structure to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials and colors. The new structure shall be either white or "barn red. If used, composite shingles shall mimic the color and texture of the original redwood shingle roofing. Wherever possible, the exterior of the new structure shall use hardware and siding recovered from the original Cass barn, and where the original hardware is not serviceable, new materials may be used that maintain the nature of the original.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator prior to final inspection.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)

Date 12-6-04

Name of Owner – Print